

CITY OF BLOOMINGTON



JULY 11, 2012 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
July 11, 2012 at 2:00 p.m.

*Kelly Conference Room #155

PETITION:

- V-31-12 **Spicer Rentals (Kevin Spicer)**
623 S. Woodlawn Ave.
Request: Variance from rear yard setback requirements for an attached garage.
Case Manager: Patrick Shay

PETITIONER: Spicer Rentals
237 E. Winslow Road

REQUEST: The petitioner is requesting variance from rear yard setback standards to allow an addition to a single family home.

	Required	Proposed
Rear building setback	25 feet	20 feet

SUMMARY: The petitioner owns a single family home on the east side of S. Woodlawn Avenue midblock between E. 2nd Street and E. University Avenue. The site is zoned Residential Core (RC) and is located within the proposed Elm Heights Local Historic District. The petitioner originally sought an approval to allow an addition to the existing structure and the placement of a detached garage. The proposed site plan would have met all Unified Development Ordinance (UDO) requirements.

The proposal was originally being reviewed as a demolition delay case. Due to interim protection that was placed on the property with the proposed Elm Heights historic district, the proposed addition had to receive a Certificate of Appropriateness (COA) from the Historic Preservation Commission (HPC). Through discussions with the HPC, the petitioner's site plan was altered to change the detached garage into an attached garage. The garage structure had been placed with an 18-foot-setback from the alley to the east in compliance with the UDO. However, detached garages must maintain a 25-foot setback in this district. The petitioner has amended his plan to have a 20-foot setback from the alley and is requesting a variance from the 25-foot setback to accommodate the preference of the Historic Preservation Commission.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

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 no injury. Staff finds the structure will be placed 20 feet from the alley. This will allow two additional cars to be parked behind the garage without extending into the adjacent alley. The other three detached garage structures are located immediately adjacent to the alley with substandard setbacks.

- 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.*

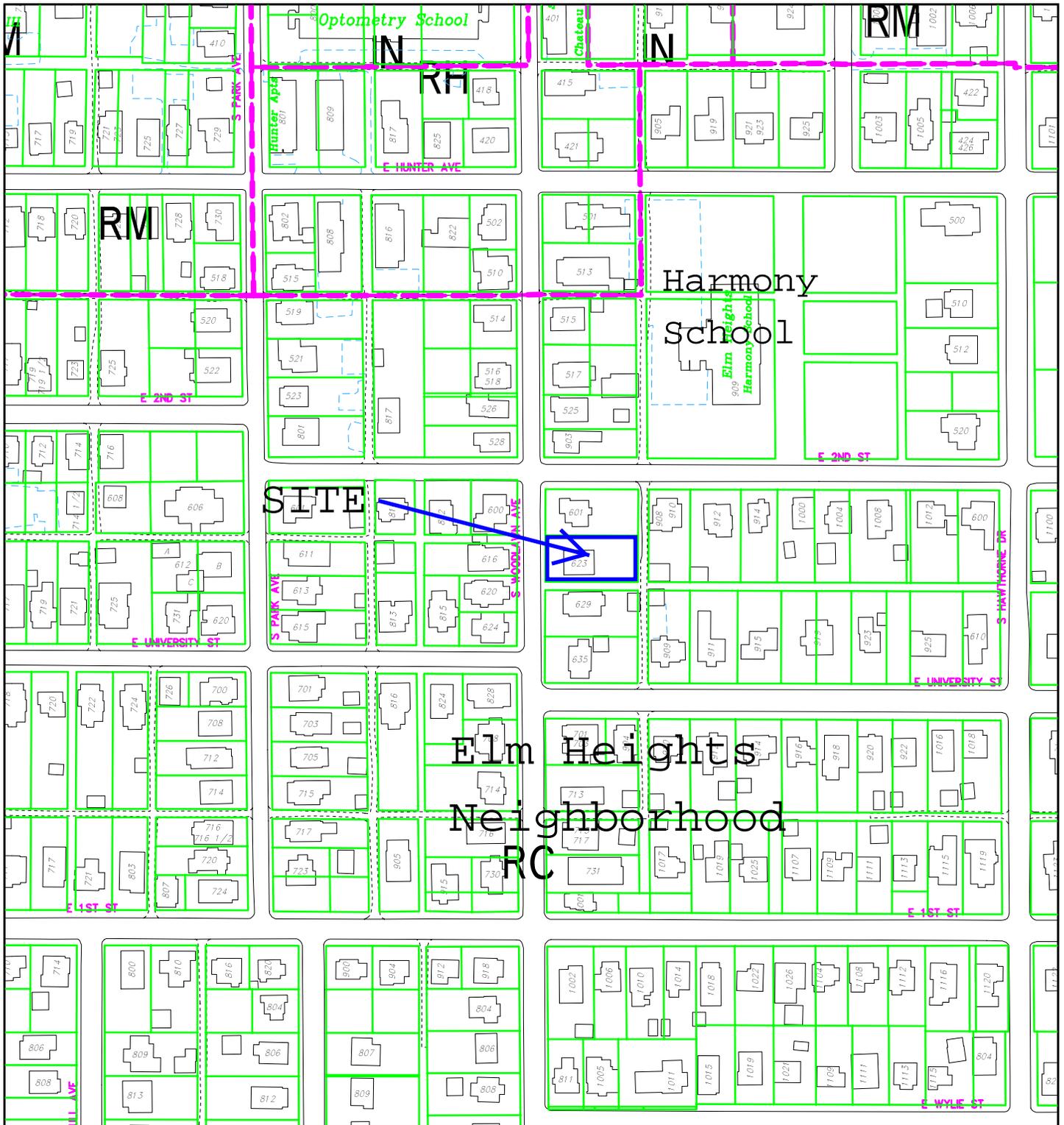
STAFF FINDING: Staff finds no negative effects from this proposal on the areas adjacent to the property. While the structure will be closer to the property line than permitted by the UDO, it will be located further than a detached garage can be placed. The garage will not be out of place with the surrounding area as evidenced by the approval of a COA by the HPC.

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 practical difficulty in not allowing the reduction in setback for this structure. Although a compliant setback could be achieved by detaching the garage structure, the HPC has stated a strong desire for the attached structure that is currently proposed. Staff finds peculiar condition in the historic nature of the area that warrants the proposed variance.

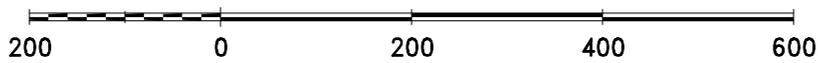
RECOMMENDATION: Based upon the written findings above, staff recommends approval of V-31-12 with the following conditions:

1. The petitioner must meet all requirements of the Certificate of Appropriateness issued by the Historic Preservation Commission.
2. A building permit must be issued prior to construction activities.

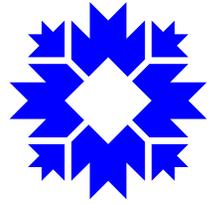


V-31-12
 623 S. Woodlawn Ave.
 Location/Zoning/Land Use Map

By: shapp
 6 Jul 12



City of Bloomington
 Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.

To whom it may concern:

623 S. Woodlawn Ave.

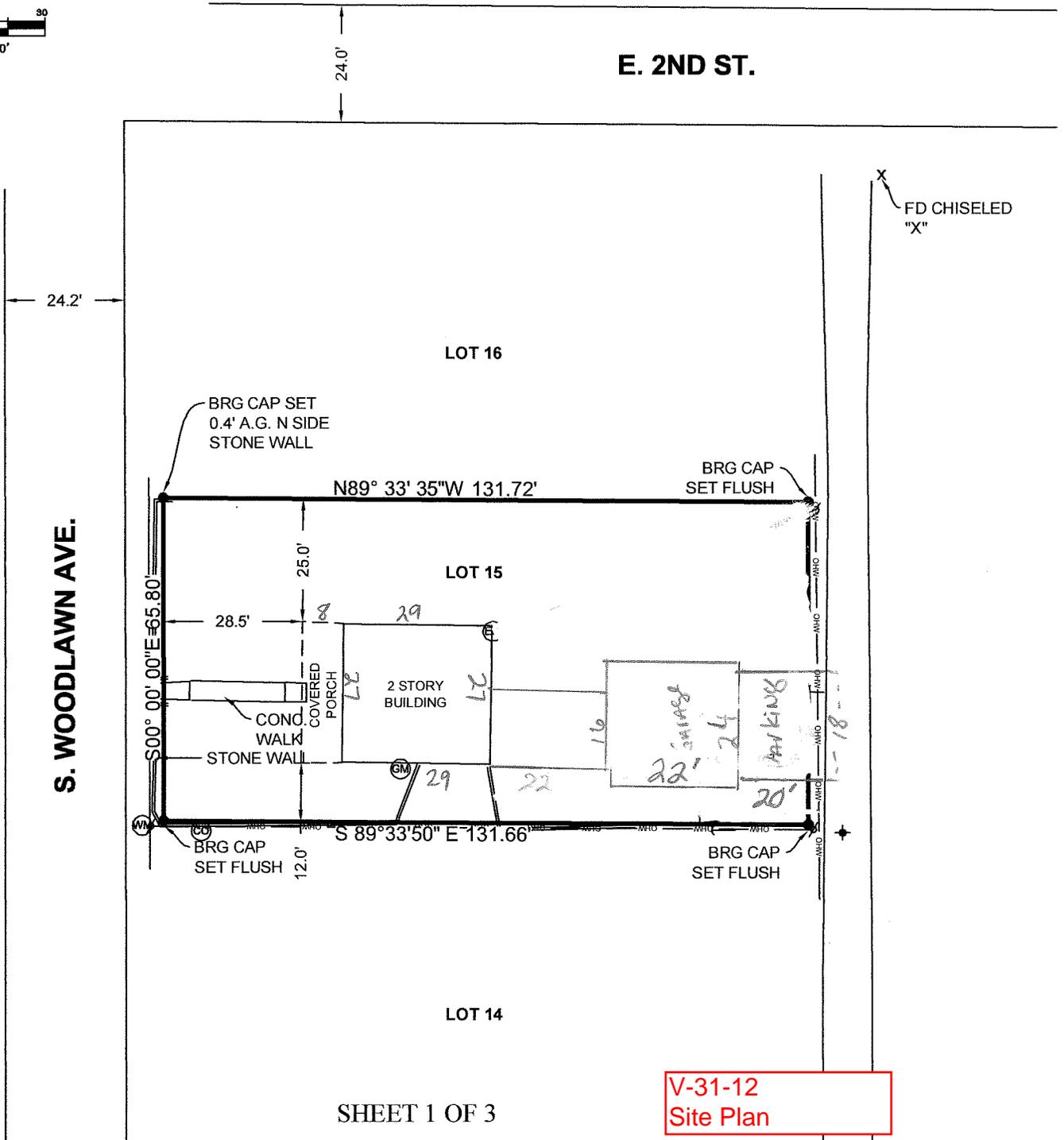
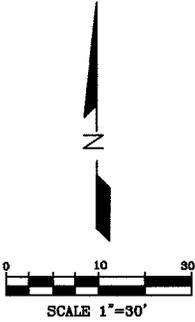
Setback Requirement:

We are asking for a rear yard setback variance. Due to adding an attached garage verses a detached garage. The Bloomington Historic Preservation Commission has asked us to keep the character of the original four square house by not removing many of the windows when adding the new addition. In order to meet their requirements, we had to add a longer two story addition and when attaching the garage to the addition that put us too close to the alley. However, in looking at the adjacent homes there seems to be a lot of garages that set close to the alleys as well.

Thank you for your consideration,

Kevin Spicer

PLAT OF SURVEY - ORIGINAL BOUNDARY
LOT 15 MERKER'S ADDITION (SEMINARY LOT 98)
 623 S. Woodlawn Ave., Bloomington, IN
 Client Name: Spicer Rentals
 JOB No. 7449

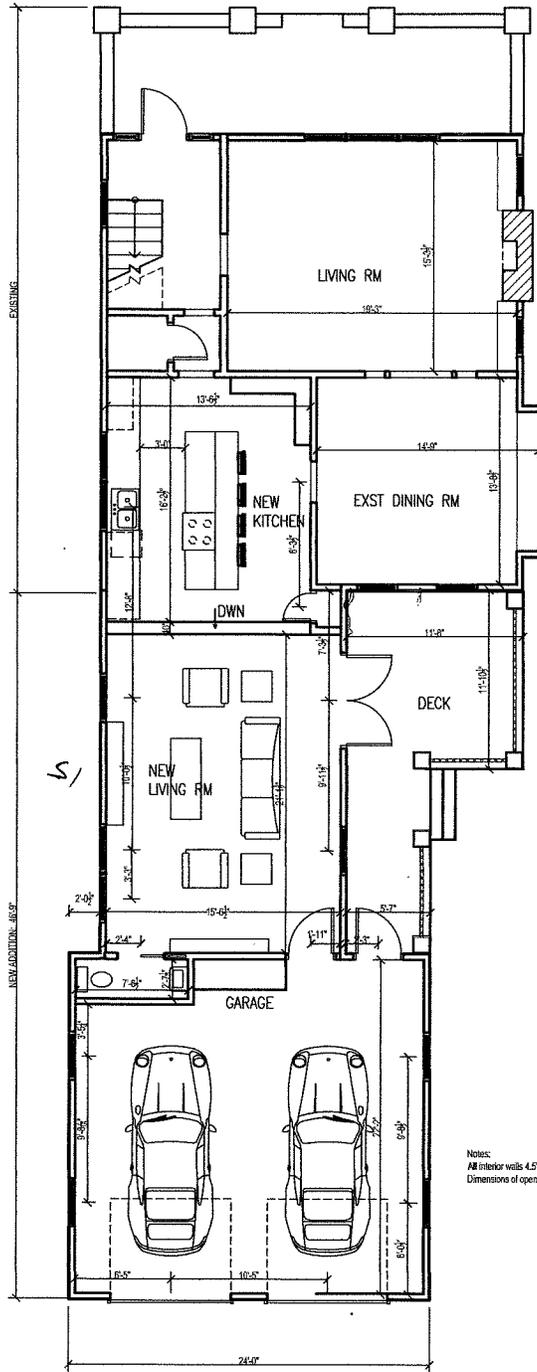


SHEET 1 OF 3

V-31-12
 Site Plan

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PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

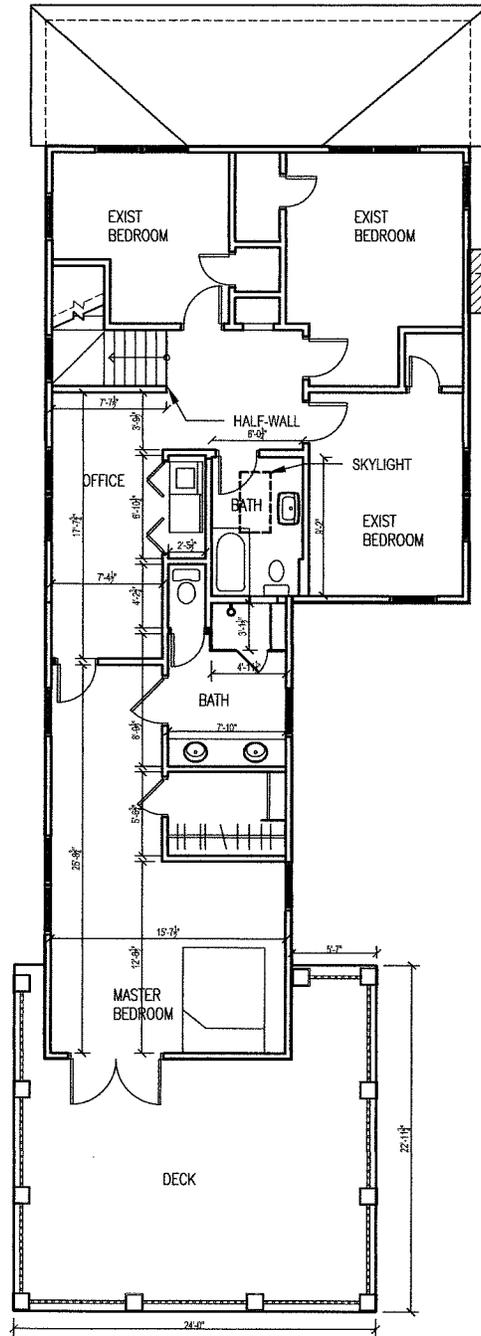


Notes:
 All interior walls 4.5" unless otherwise noted
 Dimensions of openings taken from CL

REF: PROJECT NO: ---- DATE: FILE: 1 PLANS.DWG DRAWN BY: -- CHK'D BY: --	SHEET TITLE FIRST FLOOR PLAN
	PROJECT 623 S. WOODLAWN AVE
	For Historic Commission Use only. Not for construction. Spicer Rentals (812) 333-4663
	DRAWING 1.1

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		SHEET TITLE	
		SECOND FLOOR PLAN	
		PROJECT	
		623 S. WOODLAWN AVE	
REF:		For Historic Commission Use only. Not for construction. Spicer Rentals (812) 333-4663	
PROJECT NO: ----			
DATE:			
FILE: 1.2 SECOND FLOOR PLAN.DWG			
DRAWN BY: -			
CHK'D BY: -		DRAWING	
		1.2	



REF:
PROJECT NO: ----
DATE:
FILE: 2.1 ELEVATIONS.DWG
DRAWN BY: -
CHK'D BY: -

SHEET TITLE

ELEVATIONS

PROJECT

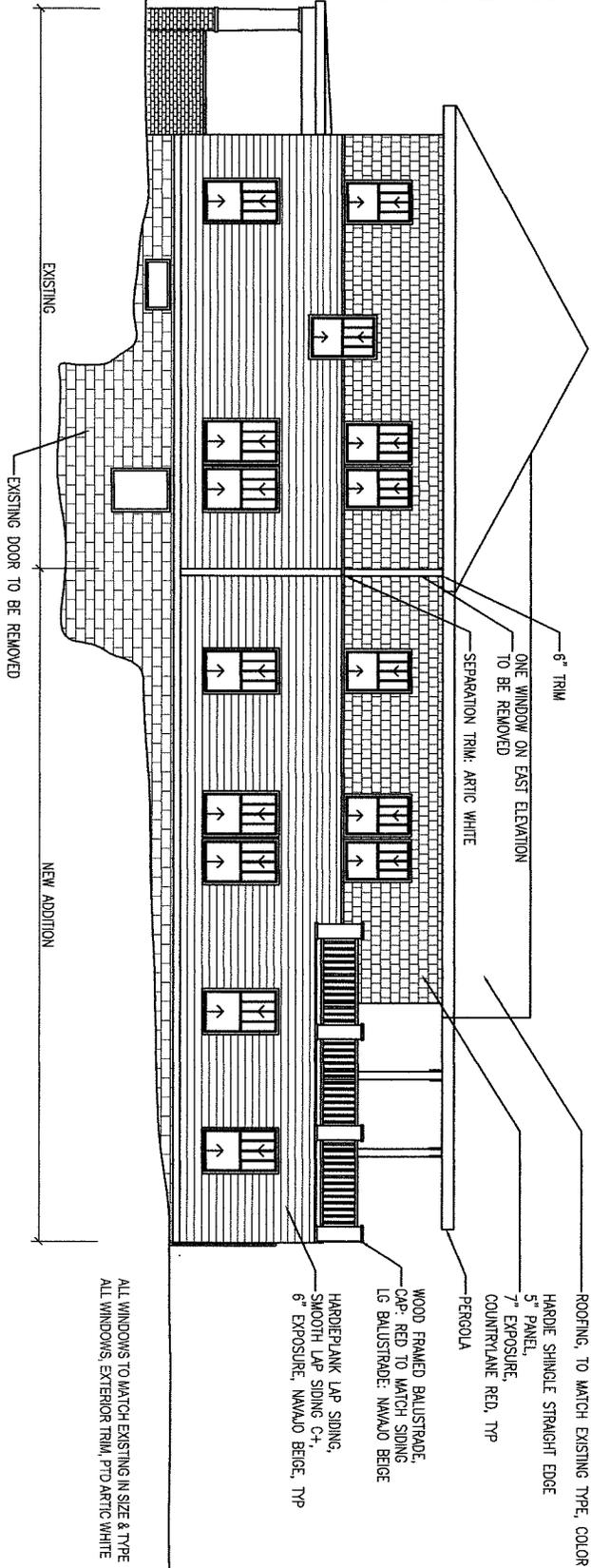
623 S. WOODLAWN AVE

For Historic Commission Use only. Not for construction.

Spicer Rentals
(812) 333-4663

DRAWING

2.1



ALL WINDOWS TO MATCH EXISTING IN SIZE & TYPE
ALL WINDOWS EXTERIOR TRIM, PTD ARTIC WHITE

SHEET TITLE

ELEVATIONS

PROJECT

623 S. WOODLAWN AVE

For Historic Commission Use only. Not for construction.

Spicer Rentals
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DRAWING

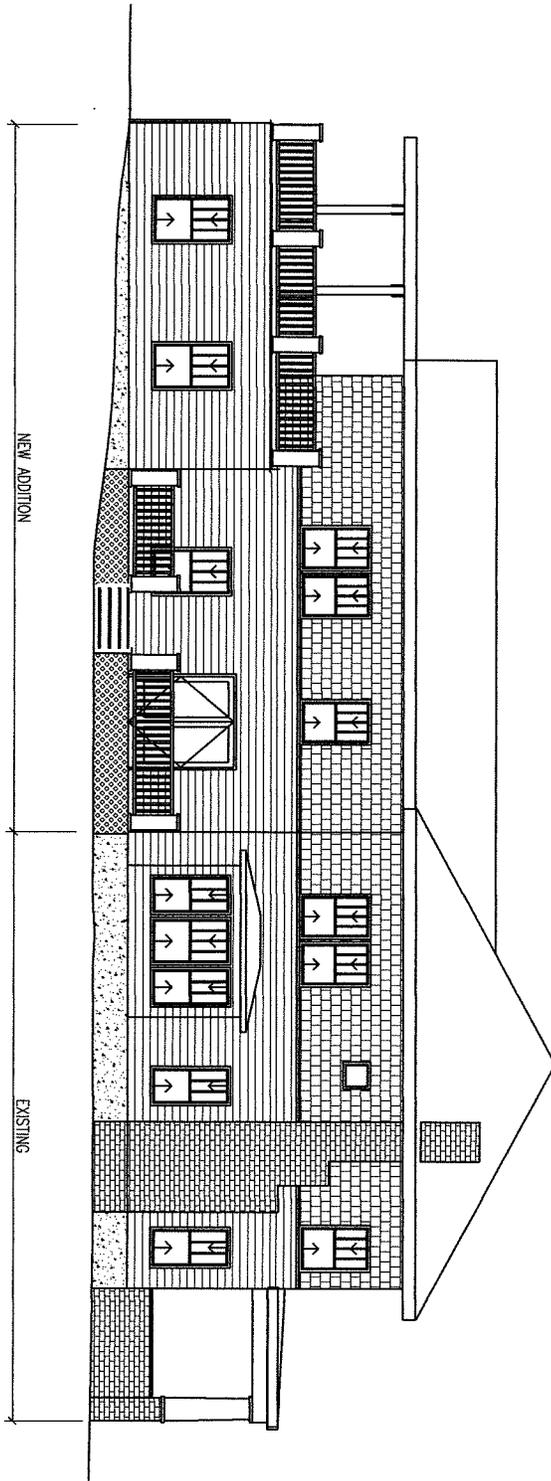
2.2

REF:	
PROJECT NO:	----
DATE:	
FILE:	2.2 ELEVATIONS.DWG

DRAWN BY:	--
CHK'D BY:	--

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PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



REF:
PROJECT NO: ----
DATE:
FILE: 2.3 ELEVATION.DWG
DRAWN BY: --
CHK'D BY: --

SHEET TITLE

ELEVATION

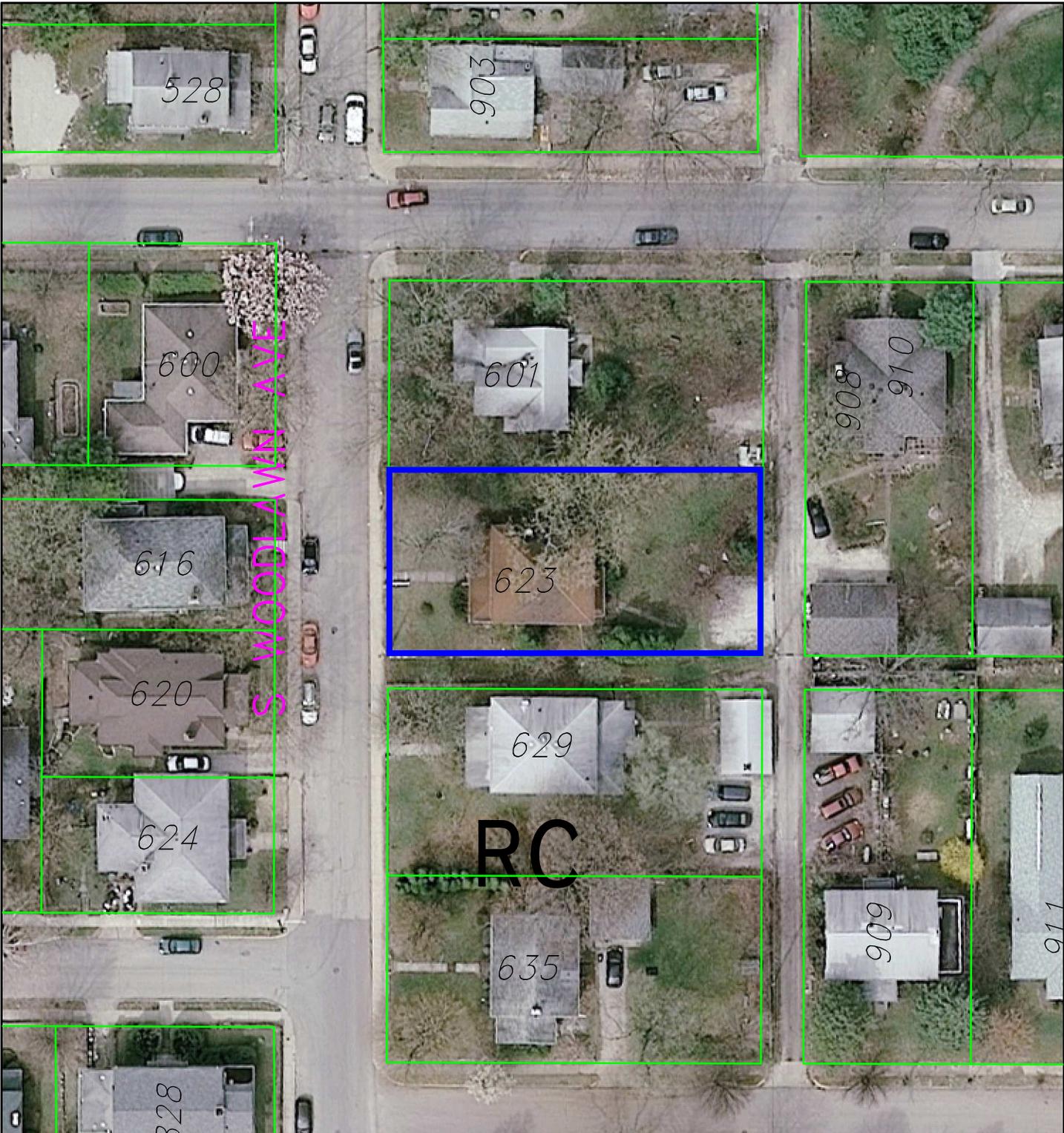
PROJECT

623 S. WOODLAWN AVE

For Historic Commission Use only. Not for construction.
 Spicer Rentals
 (812) 333-4663

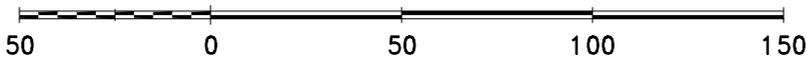
DRAWING

2.3



V-31-12 Aerial Photo
623 S. Woodlawn

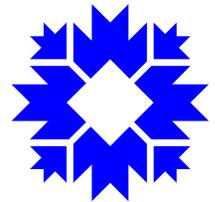
By: shayp
6 Jul 12



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 50'