

CITY OF BLOOMINGTON



July 10, 2013 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

AGENDA

CITY OF BLOOMINGTON
HEARING OFFICER
July 10, 2013 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

- V-33-13 **David and Debra West**
3824 S. Bainbridge Dr.
Request: Variance from front building setback standards to allow an addition to the front of the residence.
Case Manager: Eric Greulich

**PETITIONER: David & Debra West
3824 S. Bainbridge Dr., Bloomington**

REQUEST: The petitioners are requesting a front yard setback variance for a covered porch addition to an existing house.

REPORT SUMMARY: This approximately 0.25 acre lot is located at 3824 S. Bainbridge Dr. in the Sherwood Oaks subdivision and is zoned Planned Unit Development (PUD). It is surrounded on all four sides by single family homes. The property has been developed with a 2-story house.

The petitioners would like to add an 8'x22' covered front porch at the northeast corner of the house. As part of this addition a new handicap accessible ramp will be added to access the front door. The area of the addition currently has an uncovered patio in approximately the same location. The covered porch and ramp addition is necessary to accommodate the mobility needs of Mr. West, who is a disabled veteran. The petitioners have been granted a Specially Adapted Housing Grant (SAH) from the Department of Veteran's Affairs that will pay for the porch and handicapped ramp. However, a requirement of the grant is that the porch must be 8 feet in depth and have a cover to provide protection from weather.

The front yard building setback requirement for this PUD is 25' from the property line. The house is already located approximately 25' from the street setback line, which therefore would not allow an addition to the front of the house. The petitioner is requesting a building setback variance to allow the 8'x22' covered porch.

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. The majority of the house will still meet the front yard setback and the addition will not have any negative impacts to public health, safety, morals, or general welfare of the community. In fact, the granting of this setback variance will enable the single family home to be fully ADA accessible from the outside. This has a positive effect on both public health and safety and is consistent with improvements made to older homes through programs offered typically be the City's Housing and Neighborhood Development Department.

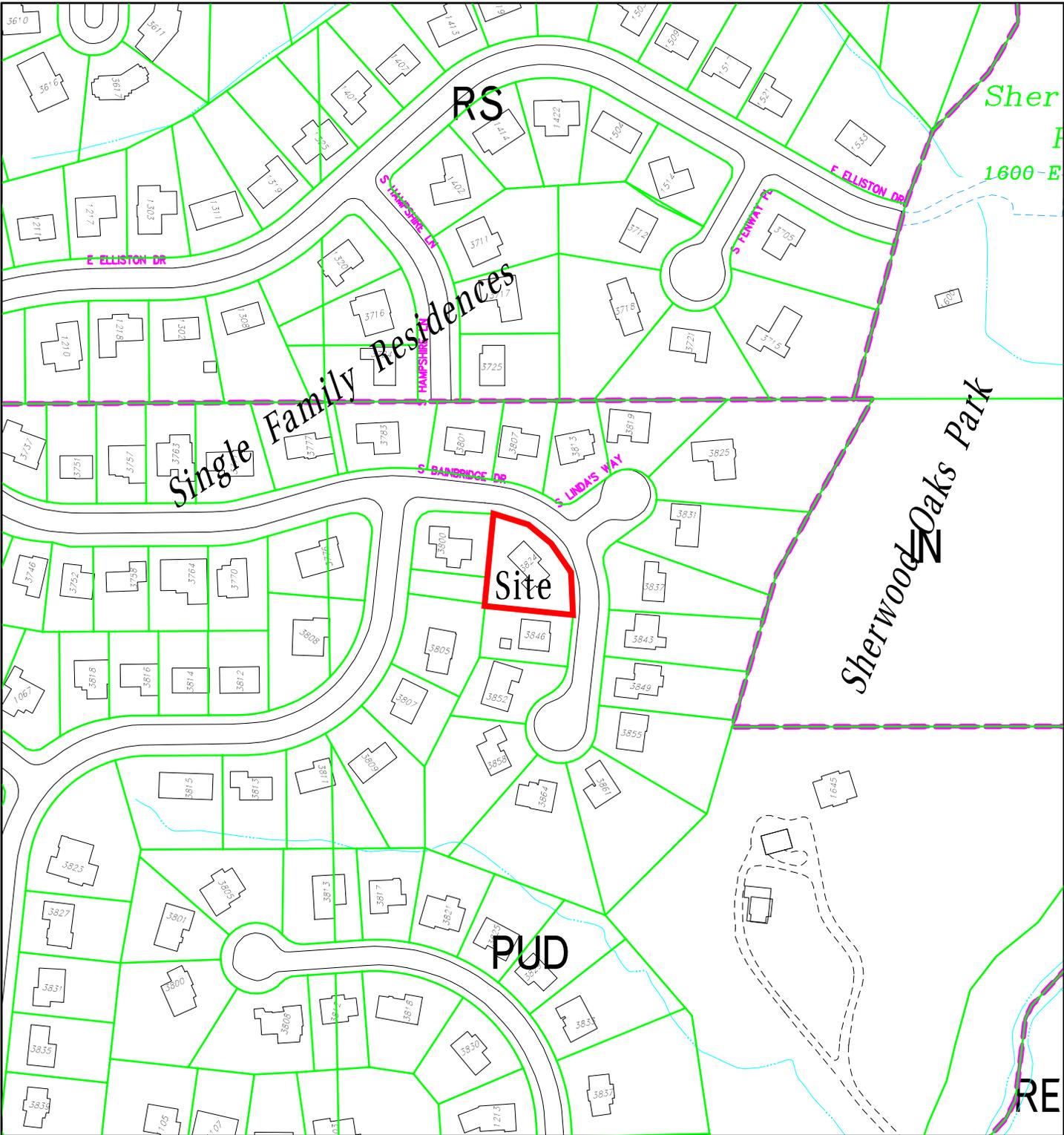
2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.*

Staff's Finding: Staff finds the use and value of the area adjacent to the property will not be negatively impacted. Most of the houses in this subdivision have covered front porches. Although many of these porches are located either behind garages or built into the existing roof line of the house, there is another example of an extended covered front porch of the same dimension and similar setback located at 3783 South Bainbridge. Because the covered porch will be built to the same setback as the open porch/step area currently in front of the house and the petitioner will be able maintain the existing tree in front of the house, the covered porch will not appreciably change the current setback situation in the front yard.

- 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.*

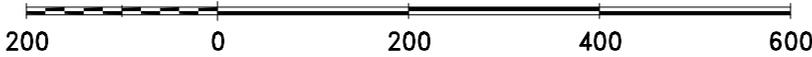
Staff's Finding: Strict application of the UDO would not allow any roofed building addition, including a covered porch, because of the position of the house at the front building setback line. This creates enormous practical difficulties in the use of the property for the petitioners because of the husband's disabled condition. Because the petitioners must have ramp accessibility to the public sidewalk coupled with weather protection and depth for a porch, the front setback is the only area where this needed improvement can be constructed. Additional practical difficulty peculiar to the property can be found in its very wide front lot area, but very shallow lot depth. This also prevents construction of the covered porch in any other location. Given that the petitioners are simply replacing an open porch area and can maintain the look of the front yard, the variance is supportable to relieve these practical difficulties.

RECOMMENDATION: Based on the written findings, staff recommends approval of the variance with no conditions.

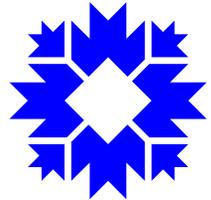


V-33-13 David & Debra West
 3824 S Bainbridge Dr
 Hearing Officer
 Site Location, Zoning, Land Use, Parcels

By: greulice
 5 Jul 13

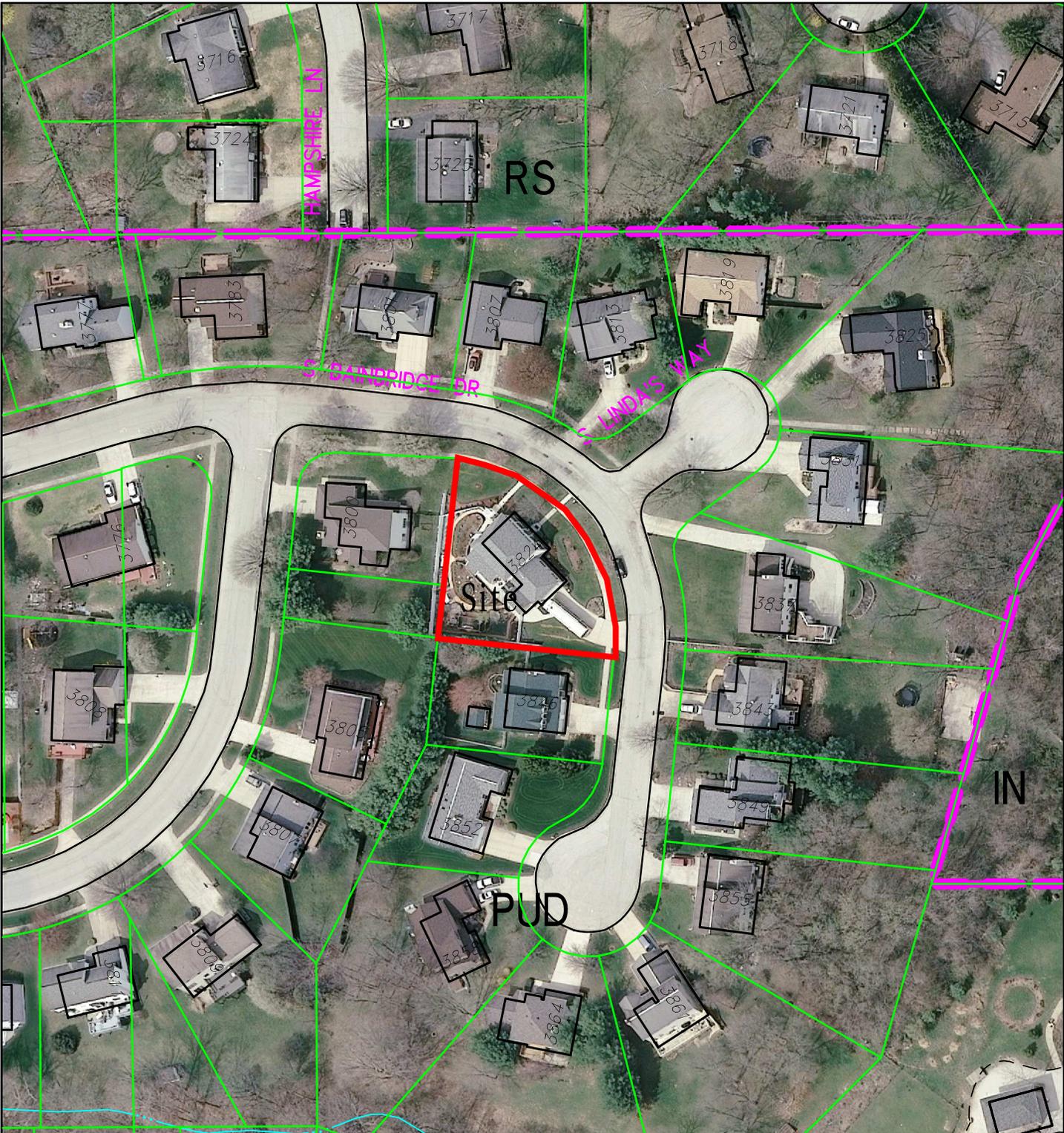


City of Bloomington
 Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.



V-33-13 David & Debra West

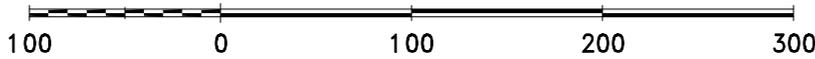
3824 S Bainbridge Dr

Hearing Officer

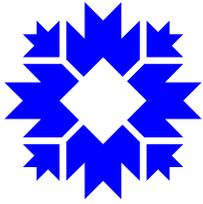
2010 Aerial Photograph

By: greulice

5 Jul 13



City of Bloomington
Planning



Scale: 1" = 100'

For reference only; map information NOT warranted.

June 27, 2013

City of Bloomington
Planning Department
Board of Zoning Appeals
Attn: Zoning Officer

To Whom It May Concern:

We are the owners of a residential property located at 3824 South Bainbridge Drive, Monroe County, Bloomington, Indiana 47401, in the subdivision of Sherwood Oaks II. This is our primary residence. This property is located in a residential area.

We are requesting a zoning variance in order to install a porch and ramp for David A. West a Disabled Vietnam Veteran who has been determined to be 100% disabled by the VA and Social Security Administration. The VA has determined that David A. West has permanent and total service connected disability and has experienced the following conditions; loss of use of both arms and/or both legs due to exposure to Agent Orange while in Vietnam.

The VA offers monetary assistance to veterans with specific service-connected disabilities, so they can construct or modify a home to best meet their physical needs.

Mr. David A. West has submitted an application for and been granted a Specially Adapted Housing Grant (SAH) from the Department of Veterans Affairs.

Current home specifications are:

Bedrooms:	4 beds
Bathrooms:	2.5 baths
Single Family:	2,040 sq ft
Lot:	10,890 sq ft
Year Built:	1989
Garage:	2 stall attached

The purpose of the SAH Grant is to adapt housing for a veteran's current home to VA standards for the disabled veteran. This grant is authorized under Title 38, United States Code (U.S.C), section 2101 (a). The remodeling includes all adaptations that are necessary to meet present or future disability-related needs.

The proposed enclosed porch will be approximately 8'W x 22'L x 8" H. The proposed porch will be constructed from treated lumber & composite board material.

The ramp will be approximately 30' long with an 8'x7' landing. The ramp will be one section and will be 16" above grade with .5:12; 4% slope with 4" spindle space for the railing, per the VA specifications. See attached sketch.

There does not appear to be a need to submit specifications for a drainage plan as this is an established residence within the subdivision and the original builder should have already addressed this issue. There is no reason to believe that the proposed porch would in anyway interfere with access to the street or attached garage. However, it is designed to give David A. West access to the city sidewalk and the attached garage.

Several other existing properties located in and around this residence include covered porches such as is proposed herein. Therefore it will blend in well with the other properties in the vicinity.

Sincerely,



David A. West

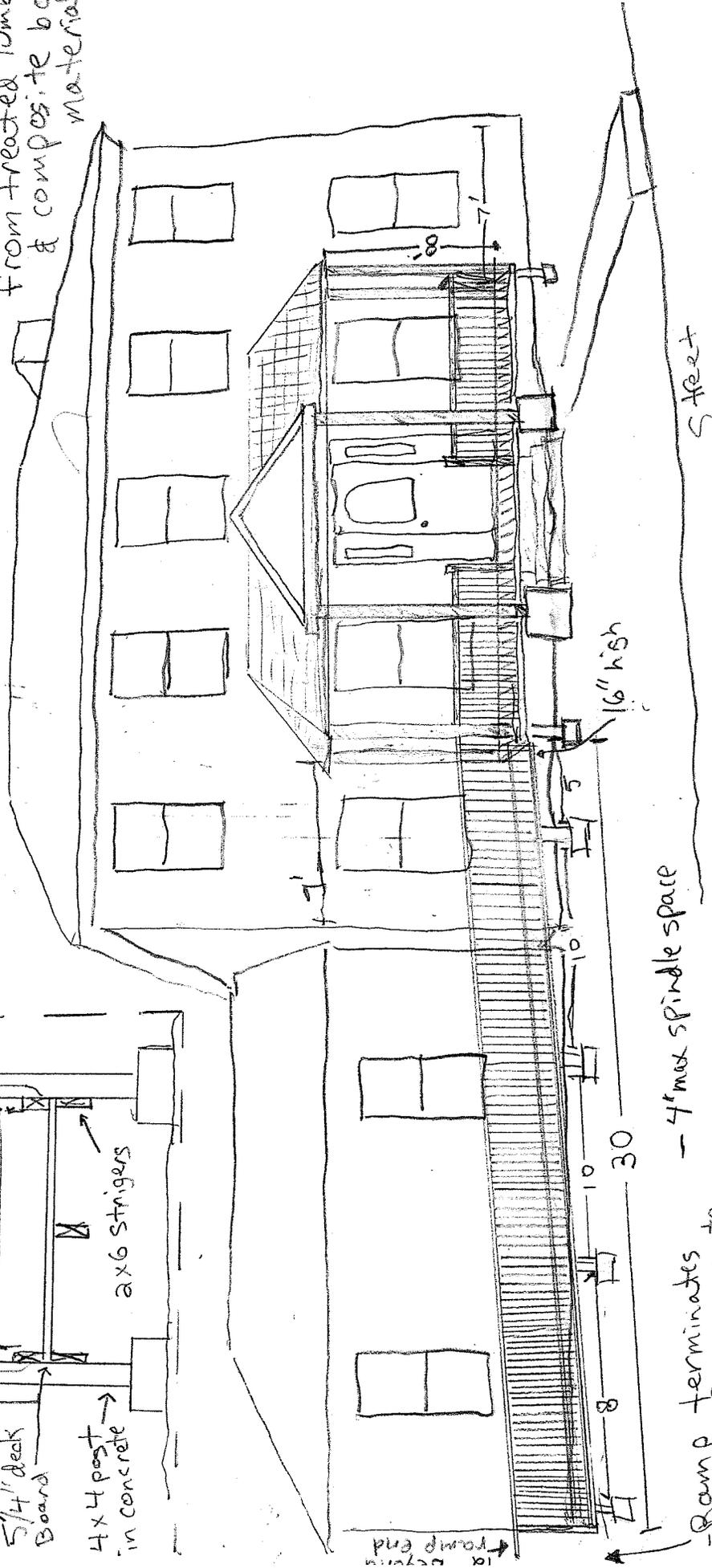
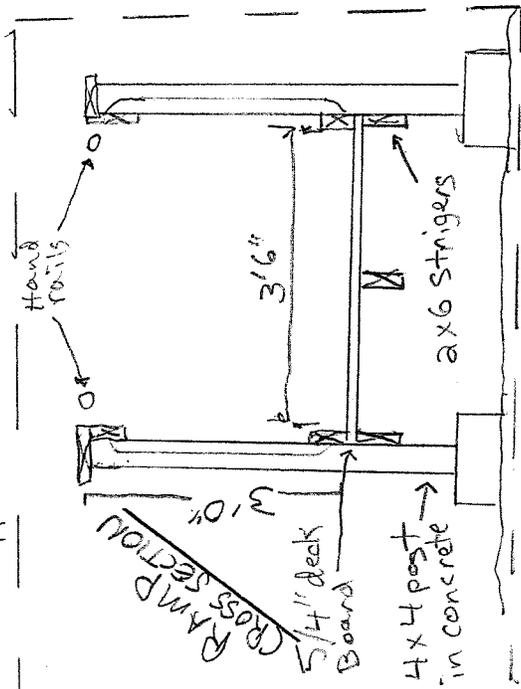


Debra M. West

David West
Home

Front Porch & Ramp (After)

- Porch dimensions:
8'W x 22' x 8'H
- Porch to be constructed from treated lumber & composite board material.



- 4" max spindle space

- Ramp terminates onto an 8' x 7' concrete landing.

∞ Ramp is one section, 30' long from porch to landing. Ramp meets the porch @ 16" above grade.

- Ramp slope is .5:12; 4% slope

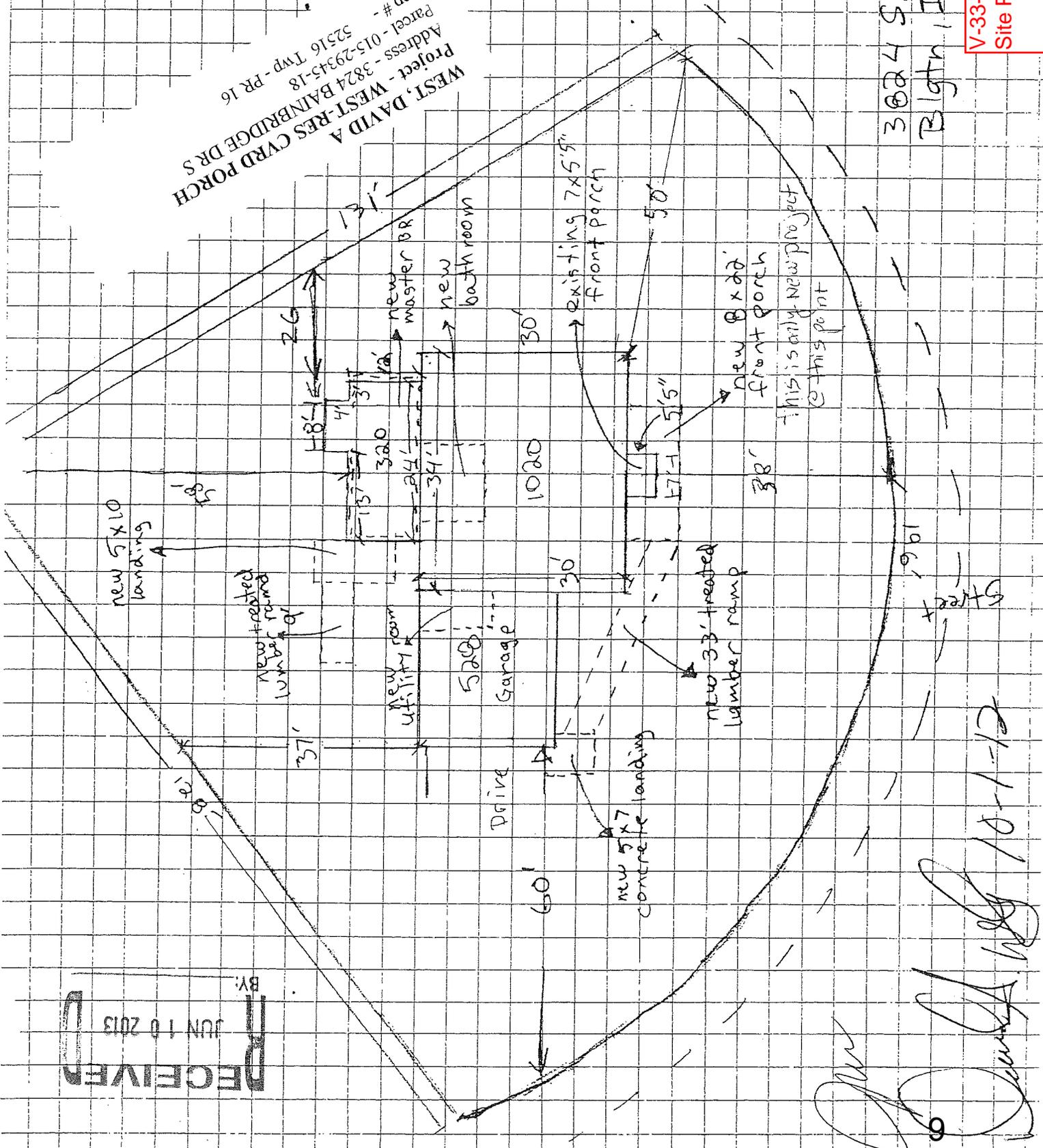
V-33-13
Front Elevation
(facing Bainbridge Dr.)

Scale = 1" = 20'
" " = 1/4" = 5'

WEST, DAVID A
Project - WEST RES CYRD PORCH
Address - 3824 BAINBRIDGE DR S
Parcel # - 52516 Twp - PR 16
App # -

3824 S. Bainbridge Dr
Blgtn, IN 47401

V-33-13
Site Plan



RECEIVED
JUN 10 2013
BY:

David A. West
10-1-12