

# CITY OF BLOOMINGTON



JULY 24, 2013 @ 2:00 p.m.  
CITY HALL -  
KELLY CONFERENCE ROOM #155

**PETITIONS:**

- V-33-13      **David & Debra West**  
3824 S. Bainbridge Dr.  
Request: Variance from front building setback standards to allow an addition to a single-family house.  
*Case Manager: Eric Greulich*
  
- V-34-13      **Susan Bright**  
721 S. Lincoln St.  
Request: Variance from side yard building setback standards to allow a greenhouse addition.  
*Case Manager: Patrick Shay*
  
- V-35-13      **Marissa Moorman**  
612 N. Kerry Dr.  
Request: Variance from front yard setback standards to allow construction of a detached carport.  
*Case Manager: Patrick Shay*

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

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

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**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.

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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. 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.*

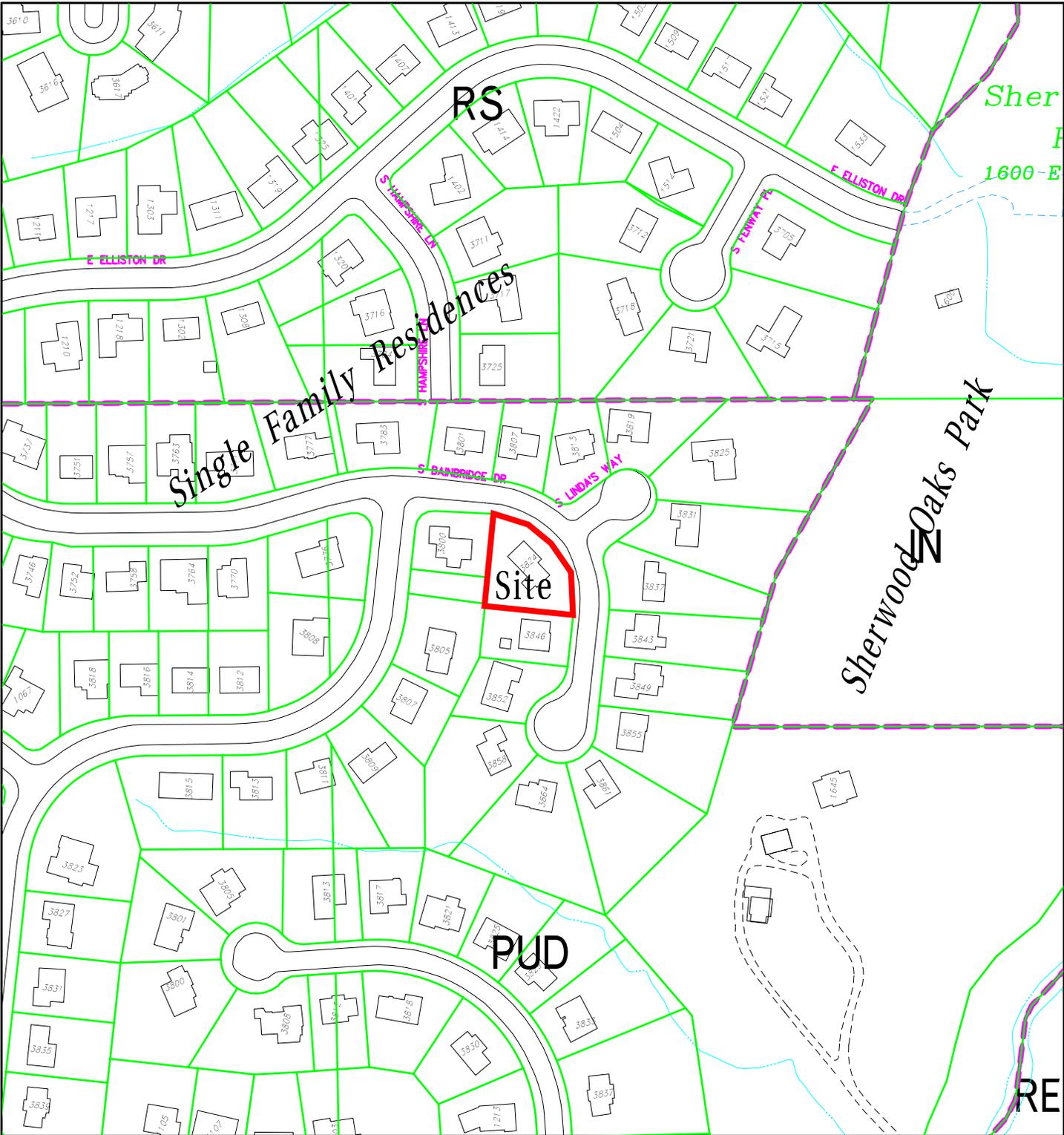
**Staff's Finding:** Staff finds the use and value of the area adjacent to the property will not be negatively impacted. Most of the houses in this subdivision have covered front porches. Although many of these porches are located either behind garages or built into the existing roof line of the house, 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.

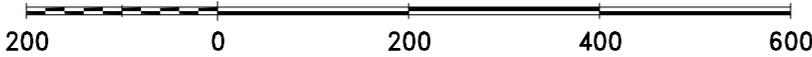
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**RECOMMENDATION:** Based on the written findings, staff recommends approval of the variance with no conditions.

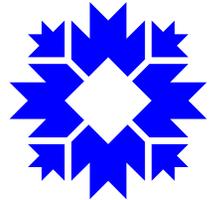


V-33-13 David & Debra West  
 3824 S Bainbridge Dr  
 Hearing Officer  
 Site Location, Zoning, Land Use, Parcels

By: greulice  
 5 Jul 13

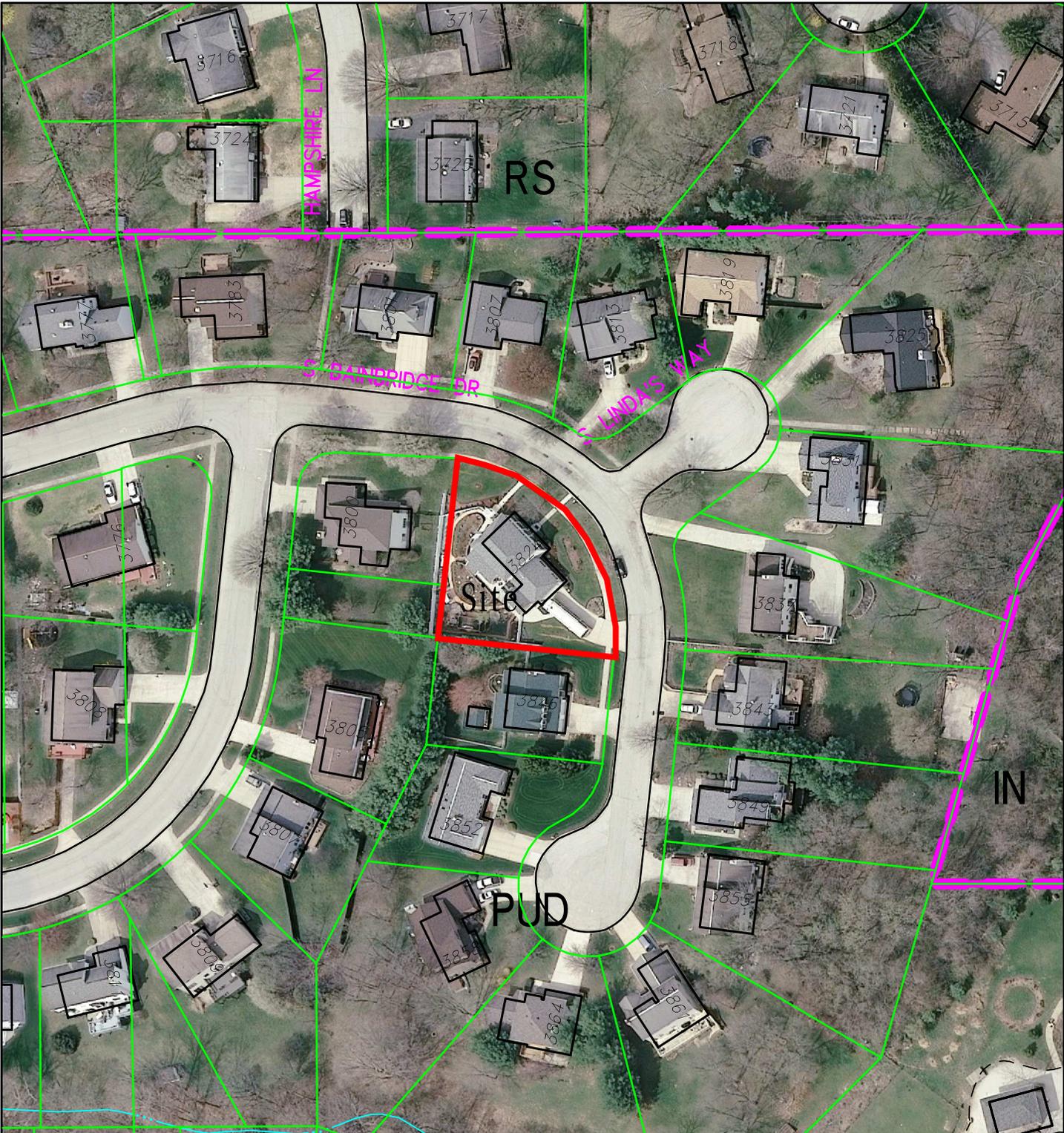


City of Bloomington  
 Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.



V-33-13 David & Debra West

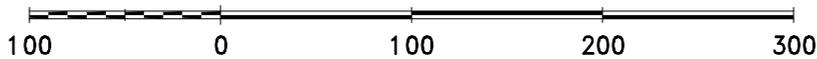
3824 S Bainbridge Dr

Hearing Officer

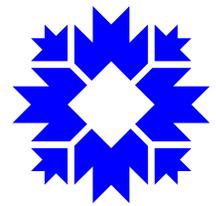
2010 Aerial Photograph

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,



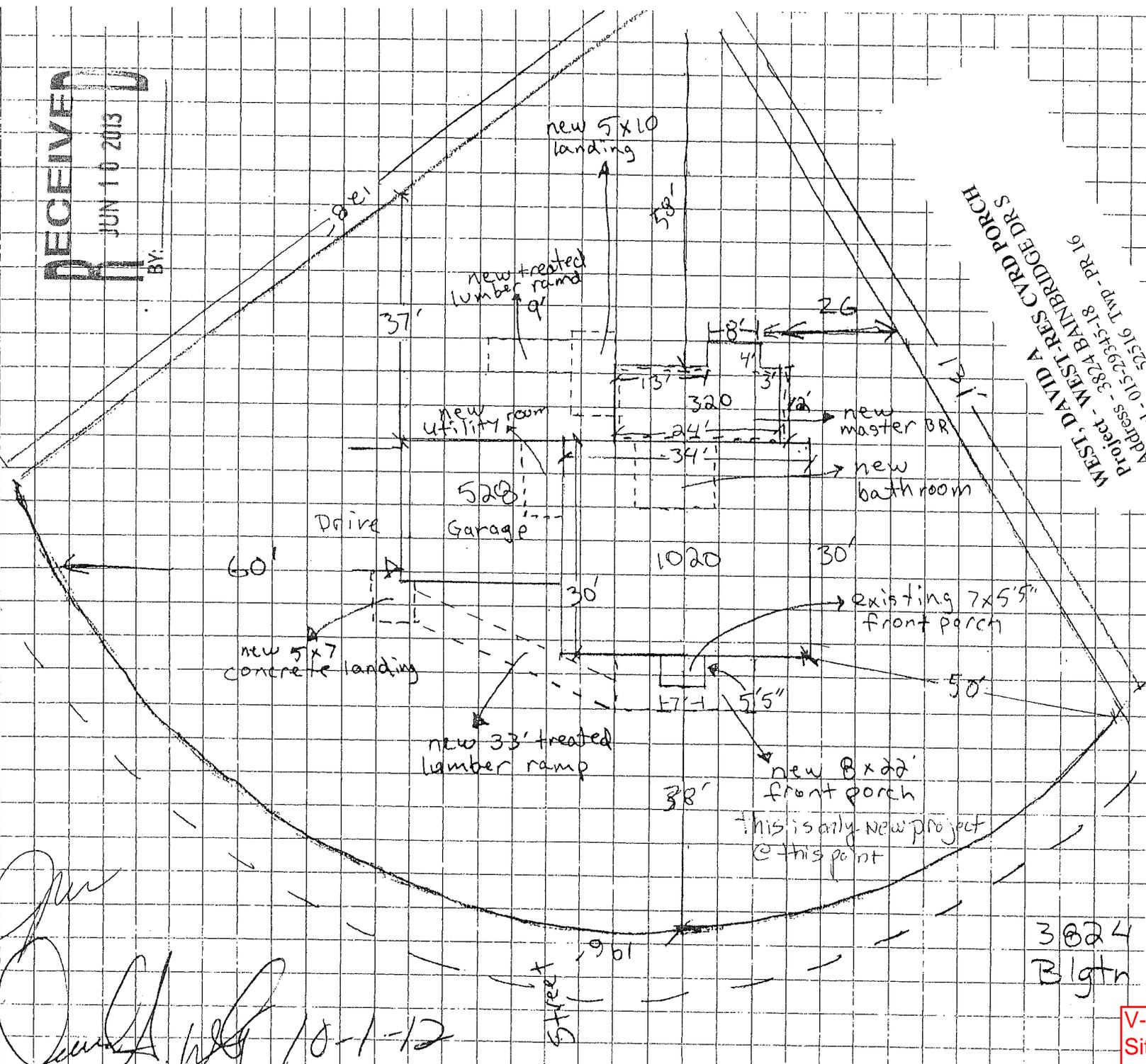
David A. West



Debra M. West



RECEIVED  
JUN 10 2013  
BY:



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

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

*[Handwritten signature]*  
 10-1-12

Street 96'

3824 S. Bainbridge Dr  
 Blgtn, IN 47401

V-33-13  
 Site Plan

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**PETITIONER:** Susan Bright  
721 S. Lincoln Street

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**REQUEST:** The petitioner is requesting a variance from the side yard setback to allow construction of greenhouse addition.

	Required	Proposed
Side yard structure setback	6 feet	1.9 feet

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**SUMMARY:** The petitioner owns a single family home on the east side of S. Lincoln Street, 2 properties north of its intersection with Dodds Street. The petitioner is requesting to construct a new greenhouse addition to the south side of an existing single family home. The Unified Development Ordinance would require the structure to be constructed 6 feet from the south property line. The proposed greenhouse would “fill in” an existing notch of the structure and would match the existing side yard setback of the home.

This proposal was also reviewed by the Historic Preservation Commission at its June 27<sup>th</sup> meeting and released from demolition delay review. The structure is listed as notable within the Bryan Park district of the 2001 Survey of Historic Structures. The brick and glass structure was determined to be an architecturally appropriate addition.

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**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 potential injury with the proposed addition.

- 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 the proposed setback. The proposed addition will match the existing structure and has a significant setback to the adjacent house to the south. This neighborhood has examples of reduced setbacks and staff finds the proposed addition to be consistent with the surrounding area.

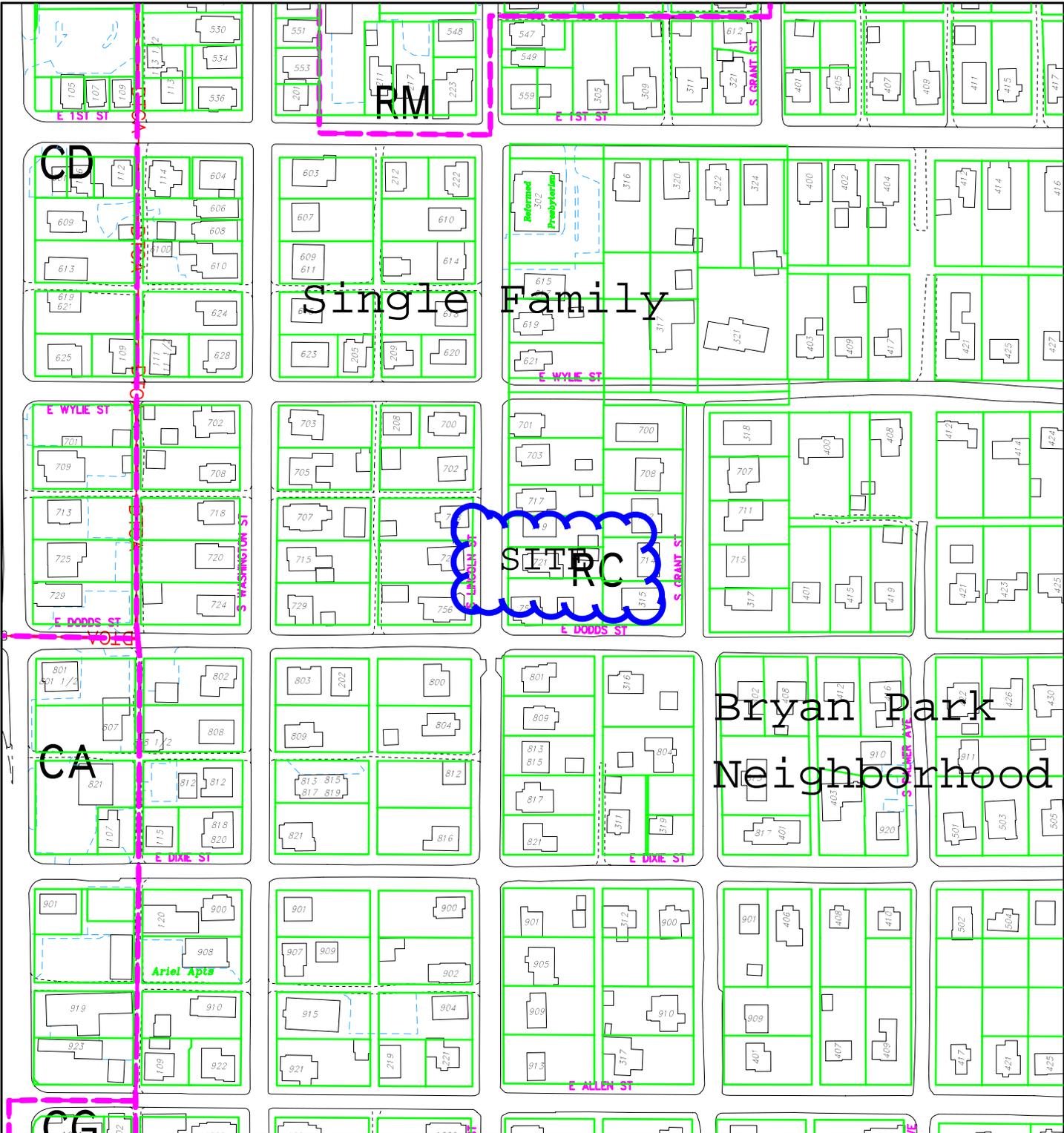
- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**STAFF FINDING:** Staff finds peculiar conditions in the existing setback of home and the development pattern of the neighborhood. The proposed addition is consistent with both of these items and found to be a normal and customary type of addition in this area.

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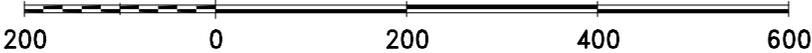
**RECOMMENDATION:** Based upon the written findings above, staff recommends approval of V-34-13 with the following condition:

1. The addition must be constructed consistent with the submitted architecture and the demolition delay approval from the Historic Preservation Commission.

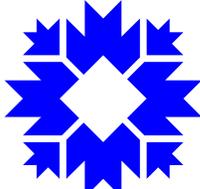


V-34-13 Susan Bright  
 Location/Zoning/Land Use  
 Map

By: shapp  
 19 Jul 13

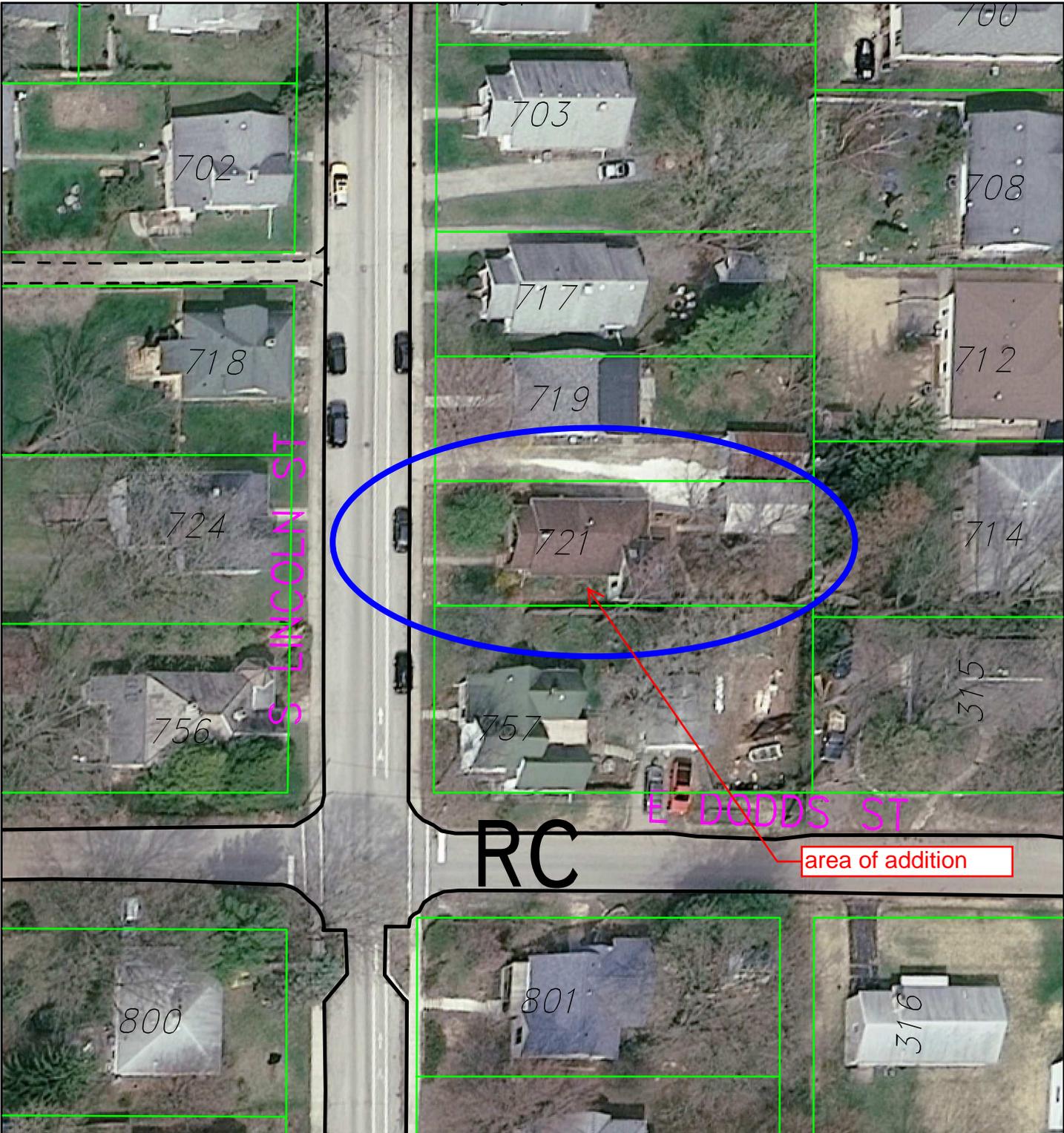


City of Bloomington  
 Planning



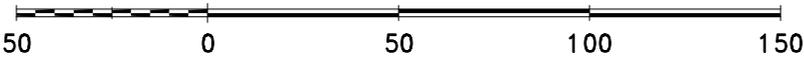
Scale: 1" = 200'

For reference only; map information NOT warranted.

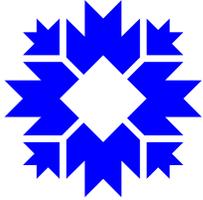


V-34-13  
Aerial Photo

By: shayp  
19 Jul 13



City of Bloomington  
Planning



Scale: 1" = 50'

For reference only; map information NOT warranted.

Hello Hearing Officer,

July 9, 2013

Gregg and I are interested in attaching a 9'x18' lean-to greenhouse on the South side of our house this September. We plan on building to the furthest most existing South property line of our house for the width of 9' and then taking the length 18' to the West (which ends before the set of double hung windows).

We propose to make it an integral part of our indoor and outdoor living space by converting one of our existing windows into a doorway and installing an outside door on the West end of the greenhouse. We enjoy our outside garden and hope to garden year round with our proposed inside facilities.

We realize that we don't meet the current set back allowance, but we hope you understand that we had our existing two story structure built before there was a set back requirement and that this structure will only be one story, all glass and conform as much as possible to an outside garden view even though it's an inside garden.

Thank you for taking time to consider our structure,

Susan Bright

PART SEMINARY LOT NO. 77

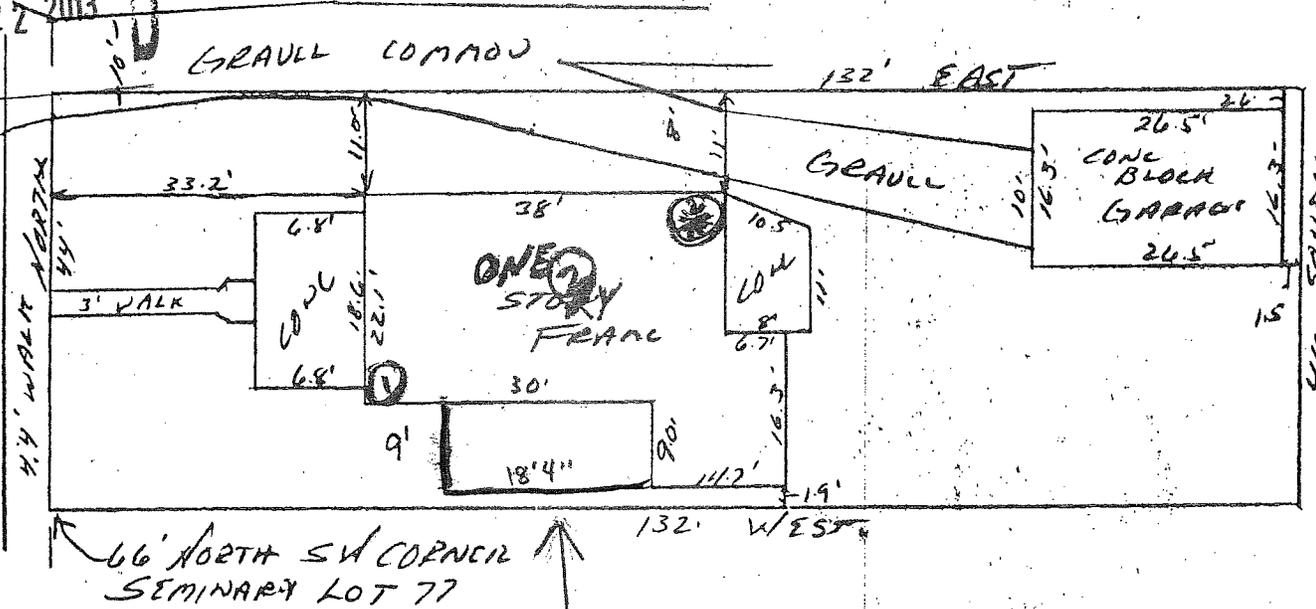
Site Plan

721 S. LINCOLN STREET

RECEIVED

MAY 22 2013

BY: LINCOLN STREET  
BLACKTOP



SCALE 1" = 20'

- (A) Proposed Greenhouse  
new walls highlighted
- (B) See notations on Building Plan for  
explanation of (\*), (1), (2)

DESCRIPTION:

A part of Seminary Lot Number 77 in the City of Bloomington, Indiana, bounded and described as follows, to-wit: Beginning at a point on the West line of said Seminary Lot, 666.00 feet North of the Southwest corner of said Seminary Lot; thence running North 44.00 feet, thence East 132.00 feet, thence South 44.00 feet, thence West 132.00 feet to the place of beginning, said plat record 3d in Deed Record "A", page 55, in the Office of the Recorder of Monroe County, Indiana.

CERTIFICATION:

I hereby certify that the above plat as shown is a true and complete survey of the described property, and further certify that all improvements are wholly within the boundaries of said described property, and that the said improvements do not encroach upon any other property, nor are there any encroachments from any other property on said surveyed property.

RAGO/BRIGHT

Project - RAGO/BRIGHT-ACC.ADD-721  
Address - 721 LINCOLN ST S  
Parcel - 53-08-04-200-183.000-009  
App # - 52404 Twp - PR-04

*Raymond Graham*  
RAYMOND GRAHAM  
R.P.E. 8409 L.S. 9978 IND  
3215 N. Smith Pike  
Bloomington, Indiana  
March 6, 1987

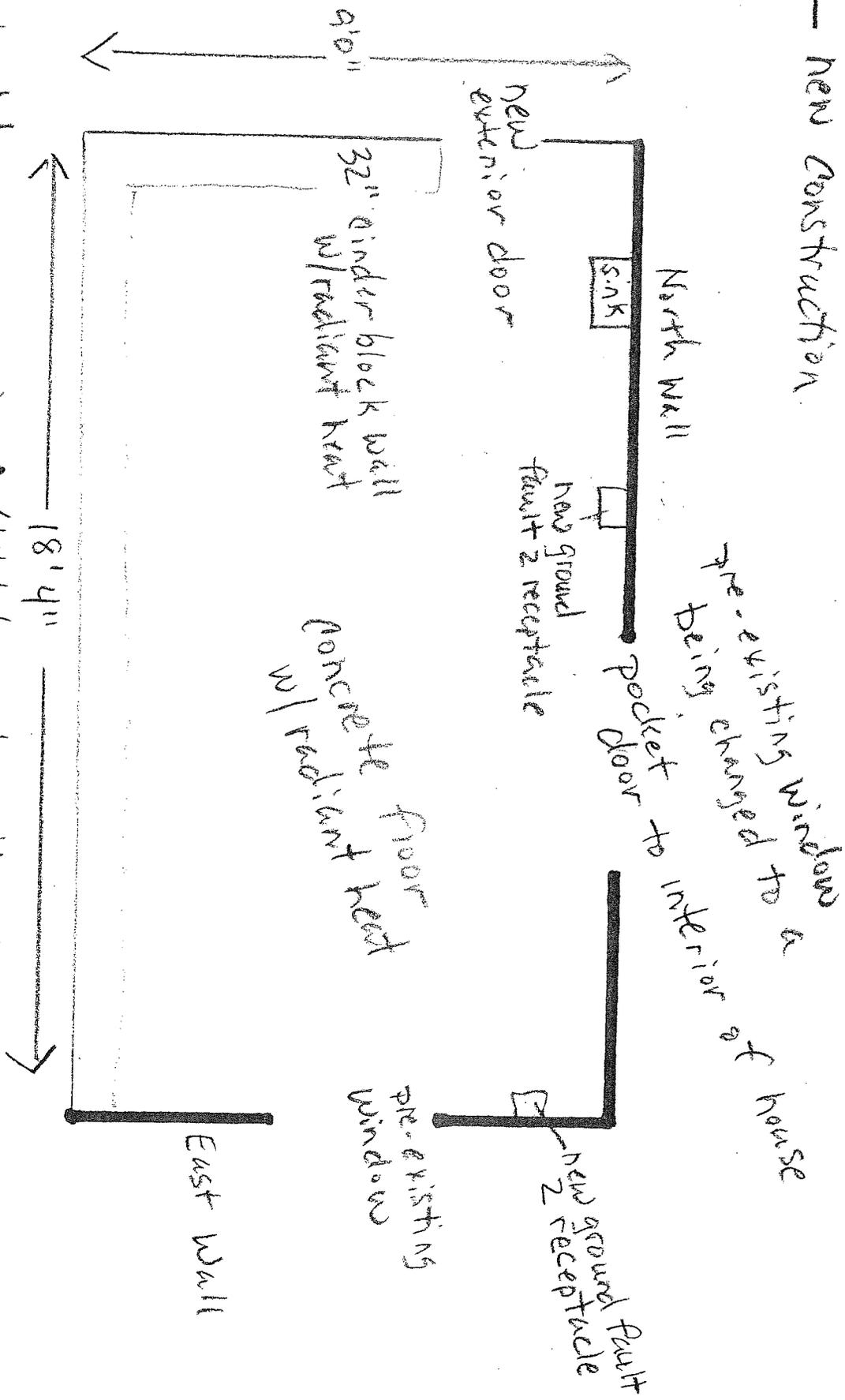


*Raymond Graham*  
Raymond Graham  
Recertified August 26, 1992

— existing exterior of house

— new construction

# Building (Greenhouse) Plan

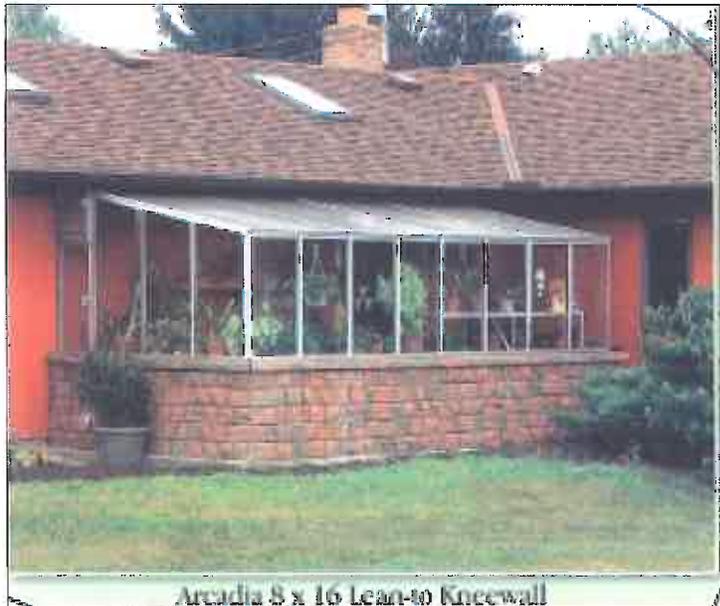


- Basement includes existing services: (labeled as such on site plan)
- ① incoming plumbing will supply sink cold water only needed
  - ② furnace & hot water heater
  - ③ incoming electric service & panel

RAND-BRIGHT



Area of  
Greenhouse



Proposed  
Architectural Style

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**PETITIONER:** Marissa Moorman  
612 N. Kerry Drive  
**CONSULTANT:** Marc Cornett  
101 E. Kirkwood Avenue

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**REQUEST:** The petitioner is requesting a variance from the front yard setback to allow construction of a detached carport.

	Required	Proposed
Front setback - carport structure	10 feet from front façade of home (approximately 55 feet from ROW)	35 feet from ROW

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**SUMMARY:** The petitioner owns a single family home on the east side of N. Kerry Drive, 2 properties south of its intersection of E. Hollywood Drive. The petitioners are requesting to construct a new carport structure that is along the same plane of the front façade of the front of the existing home. The Unified Development Ordinance would require the structure to be constructed nearly 20 feet further from the street. There is an existing fence at the front of the home that extends to the south property line. The petitioner is proposing to create a break in the fence and install a gate that would access the carport structure.

Several things on this lot would require the proposed carport to placed very far back on the property. These include the large setback of the home, the curve of the adjacent roadway, that the home is not square with the street, and how the setback is measured. This would require additional drive construction. This drive would also be in close proximity to an existing tree. The proposed variance would allow for better protection of the tree by placing the carport on a raised platform that would not have a significant impact on the root system of the tree.

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**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. The carport would still be located an adequate distance from the street that would allow for a car to be parked behind the structure.

- 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 the proposed setback. There is currently no garage or carport on this property. Most properties in the neighborhood have a parking structure. Staff finds that the proposed setback will have little impact on surrounding area. The proposed structure will have limited visual impact.

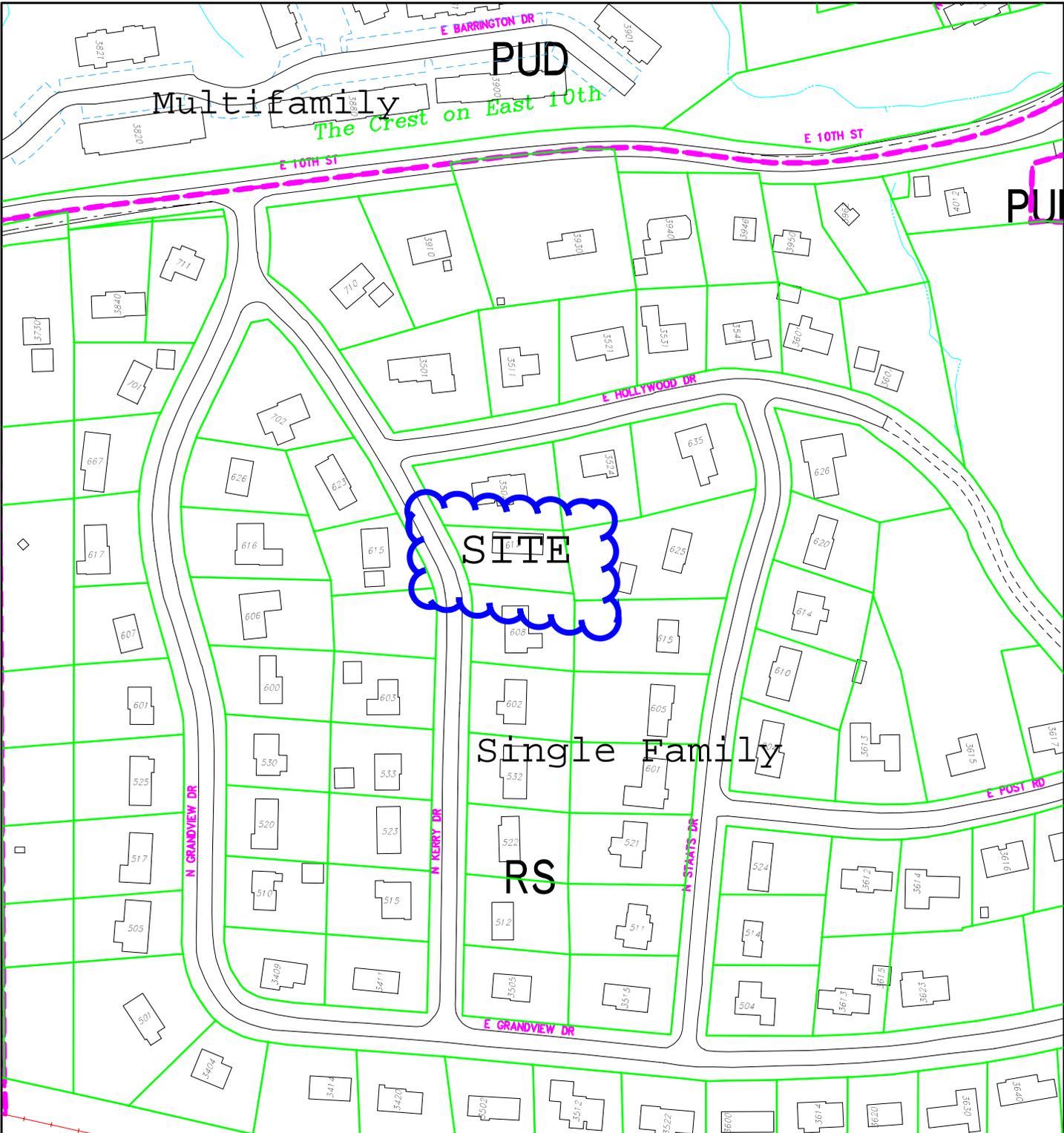
- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**STAFF FINDING:** Staff finds peculiar conditions in the through nature of the lot. If a compliant setback were required, the drive would have to be extended to the east requiring additional fill as the elevation drops off east of the existing drive. This fill and drive area would have a negative impact to an existing adjacent tree. With this request, the petitioner is proposing to create a raised platform to park on that would be on piers and would not have a significant impact to the root system of the tree.

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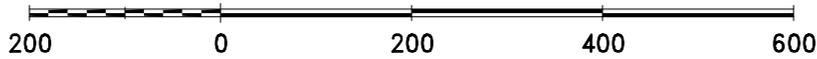
**RECOMMENDATION:** Based upon the written findings above, staff recommends approval of V-35-13 with the following condition:

1. The carport must utilize a raised platform design.

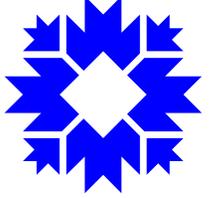


V-35-13 Marissa Moorman  
 612 N. Kerry Drive  
 Location/Zoning/Land Use Map

By: shayp  
 19 Jul 13



City of Bloomington  
 Planning



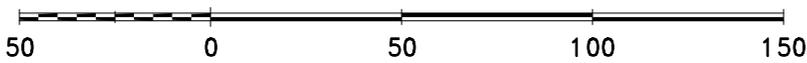
Scale: 1" = 200'

For reference only; map information NOT warranted.



V-35-13  
Aerial Photo

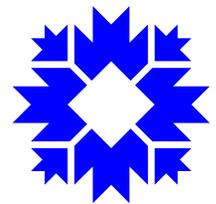
By: shayp  
19 Jul 13



For reference only; map information NOT warranted.



City of Bloomington  
Planning



Scale: 1" = 50'

## **mca - MARC CORNETT ARCHITECTS**

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July 8, 2013

City of Bloomington Planning Dept.  
Board of Zoning Appeals, Hearing Officer  
P.O. Box 100  
Bloomington, IN 47402

Board of Zoning Appeals

My client, Marissa Moorman, respectfully request your consideration for a Variance from Development Standards (Carport Front yard Setback) for 612 N. Kerry Dr.

The site is currently in the RS, Single Family Residential Zone.

This variance will allow the owners to build a new carport to the south of the existing house

The property is unique in a couple of ways; first, it is a long, narrow, lot that has it's frontage on the curve of the street which creates an unusual setback alignment, and secondly, a mature, existing, tree needs to be protected with some specialized construction techniques to ensure it's health. If we move back on the property we will need to pave over the root structure of the tree.

The Variance requires the following Findings of Fact:

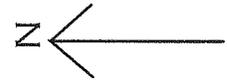
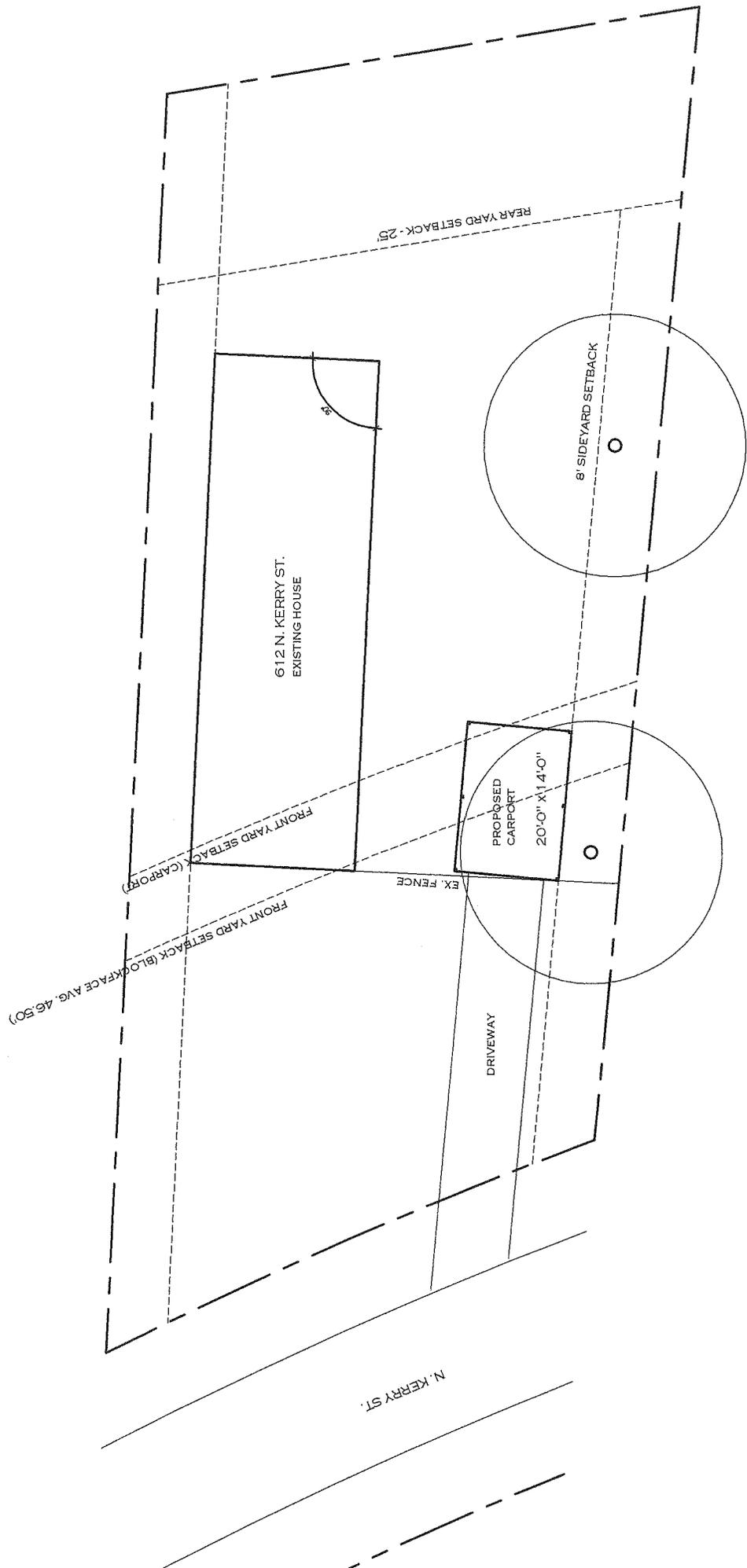
1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and
2. The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner; and
3. The strict application 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.

Saving the tree is the environmental goal and it becomes one of the practical difficulties.

We want to thank you for your attention and consideration in this matter. We look forward to enhancing an already lovely neighborhood.

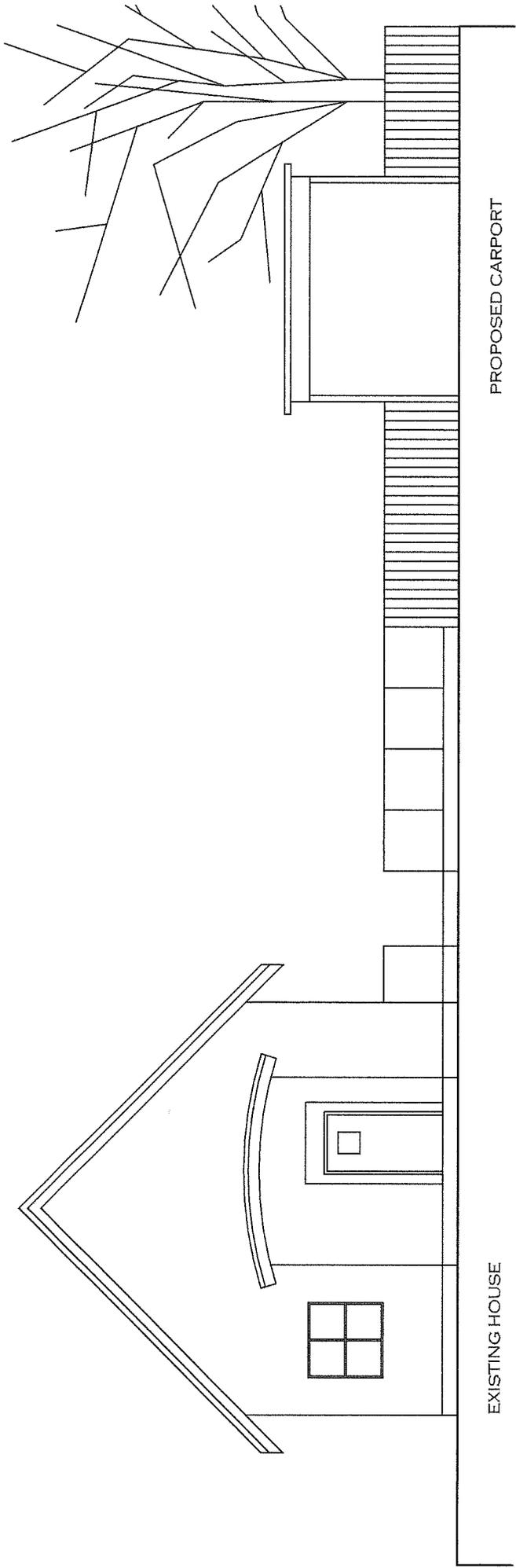
Respectfully,

Marc Cornett, Architect



612 N. KERRY ST.  
PROPOSED SITE PLAN  
SCALE: 1" = 20'-0"

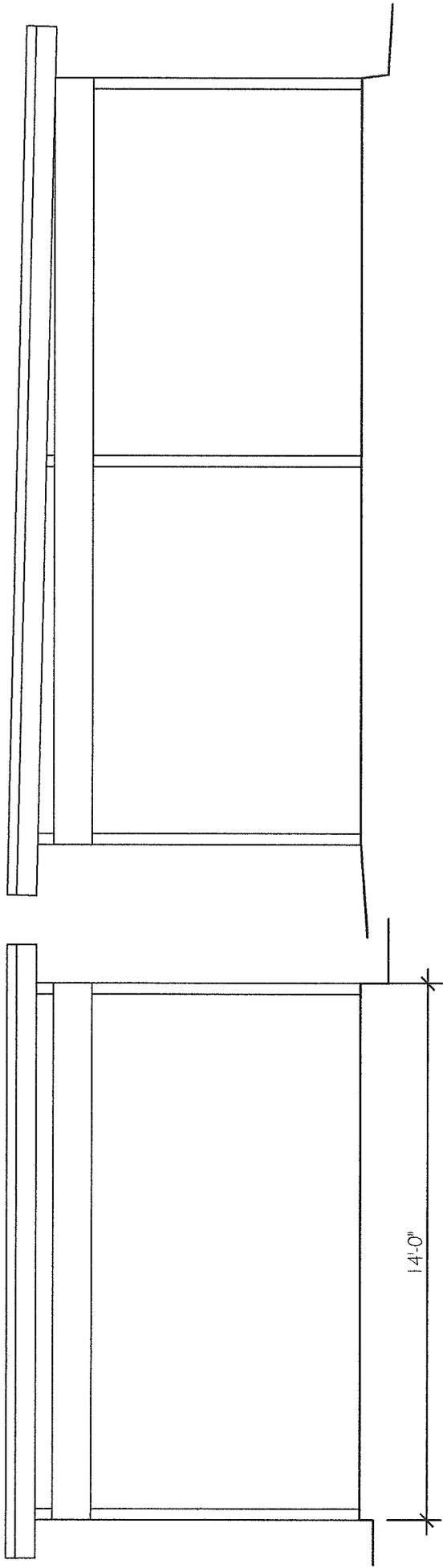
Site Plan



612 N. KERRY ST.

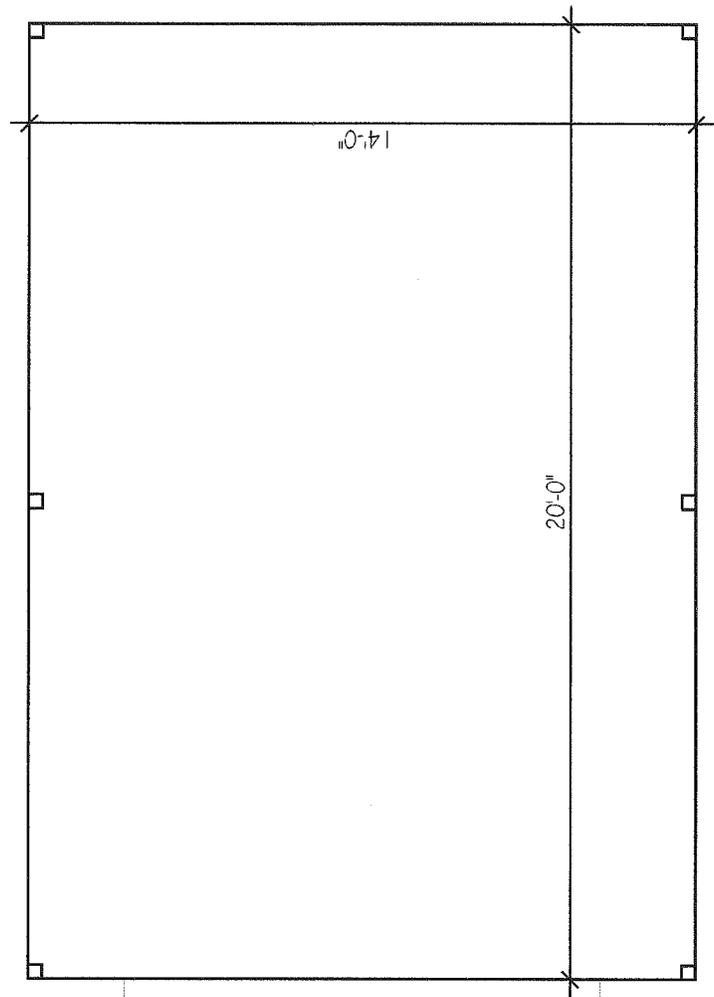
PROPOSED STREET ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH SIDE ELEV

STREET - WEST ELEV



PLAN VIEW

612 N. KERRY ST.  
 PLAN & ELEVATIONS

SCALE: 1/4" = 1'-0"