

CITY OF BLOOMINGTON



JUNE 11, 2014 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
June 11, 2014 at 2:00 p.m.

*Kelly Conference Room #155

PETITION FORWARDED TO: 6/26/14 Board of Zoning Appeals Mtg.

- V-16-14 **David Shaw**
616 E. 1st St.
Request: Variance from driveway standards to allow an existing driveway to be widened. Also requested is a variance from maximum impervious surface coverage standards.
Case Manager: Eric Greulich

- V-17-14 **MCCSC – Binford-Rogers Elementary School**
2200 & 2300 E. 2nd St.
Request: Variance from front parking setback and drive standards to allow construction of a new parking lot.
Case Manager: Patrick Shay

PETITIONS:

- V-15-14 **The Kroger Company** *(Forwarded from 5/22/14 Board of Zoning Appeals Agenda)*
3709 W. 3rd St.
Request: Variances from drive standards, number of gas pumps in a Commercial General (CG) zoning district, parking setbacks, and signage standards.
Case Manager: Patrick Shay

- V-18-14 **Gracia Clark**
907 S. Manor Rd.
Request: Variance from building setback standards to allow a new carport.
Case Manager: Eric Greulich

BLOOMINGTON HEARING OFFICER
LOCATION: 3709 W. 3rd Street

CASE #: V-15-14
DATE: June 11, 2014

PETITIONER: The Kroger Company
5960 Castleway West Dr., Indianapolis, IN

CONSULTANT: SSOE Group, Juli Sala
1050 Wilshire Dr, Ste. 260, Troy, MI

REQUEST: The petitioner is requesting variances from parking setbacks, maximum number of gas pumps in a CG district, and signage standards.

SUMMARY: The petitioner currently operates a grocery store at 500 S. Liberty Drive. They have recently gained control of an adjacent property to the north that fronts on W. 3rd Street. They are seeking a package of variances that would allow the construction of a fueling station associated with their grocery store. The subject property is zoned Commercial General (CG) and is approximately 0.81 Acres. Furthermore, it is the former location of a fast food restaurant (KFC) and is bordered on the west by another fast food restaurant and the east by a mobile phone retail store. The vacant structure would be removed and replaced with 6 fueling islands (12 pumps) and would be connected internally to the grocery store to the south and both adjacent commercial properties.

The proposed site plan requires two variances and the petitioner is also seeking a fourth variance to allow for additional signage to be placed on the property. The three variances include parking setbacks, and maximum number of gas pumps in a CG district.

Maximum Number of Gas Pumps: The Unified Development Ordinance (UDO) restricts the number of metered fuel dispensers to a maximum of four for gas stations. However, convenience stores with accessory gas sales are not limited in this manner within the CG zoning district. Although this gas station has a small retail kiosk, the primary use of this property is gas sales and is restricted to 4 metered pumps. The site is separate from the adjacent grocery store, but will function largely as an accessory use to the grocery. Furthermore, staff finds that the larger number of pumps is desirable in this location to allow a larger number of shared vehicle trips between the two uses and therefore decreasing the overall number of vehicular trips. There are three convenience stores with gas in the area that have more than 4 metered pumps. Staff finds that this use is appropriate at this location.

Parking Setback Standards: The UDO restricts parking and drives between the primary structure and the street. Parking is required to be placed a minimum of 20 feet behind the primary building's primary façade. The proposed site plan accommodates a almost purely vehicular use that necessitates a greater level of circulation to serve the pumps. The need for variance is further necessitated by the site being brought into compliance with drive standards as only one drive is permitted due to the separation requirement of 100 feet along arterial roadways. With the narrowness of the lot and the closeness of existing drive cuts on the adjacent properties, only one cut is permitted to serve the site. Unlike other uses, the proposed gas station is not served by a

traditional parking area or vehicular flow. The site will meet impervious surface coverage standards through the use of pervious pavers and will meet landscaping requirements.

Signage: Due to the narrowness of the building, the UDO restricts this property to a maximum of 54 square feet of wall signage. The petitioner has requested that the southern façade also receive an additional 54 square feet of signage to allow signage (including a price reader board) to face the grocery store to the south. This signage will allow customers coming from the grocery store to the south to be able to identify gas prices as well as those that approach from 3rd St. Staff finds the sign package to be appropriate and supports this variance. The signage that is visible from 3rd St. will be within current sign allotments. The petitioner is working on a freestanding sign that will meet all code standards.

The proposed site plan will bring the site into compliance with entrance and drive standards by removing an existing drive cut and slightly shifting the existing eastern drive cut. The petitioner anticipates fueling trucks to utilize the Kroger site to the south to enter the eastern portion of the site and exit onto W. 3rd St. They have shown the proposed plans to INDOT and have received preliminary approval.

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 with the requested variances. The development is consistent with other gasoline sales in the area and will improve the safety of the site by bringing the drive into compliance with current zoning standards.

- 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 adjacent properties with this variance. These variances will allow for a redevelopment of the site with an appropriate use that will allow a significant number of shared vehicular trips. Again, the amount of signage is heavily limited by the narrow width of the property and the additional signage will be focused to the south away from the street.

- 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.*

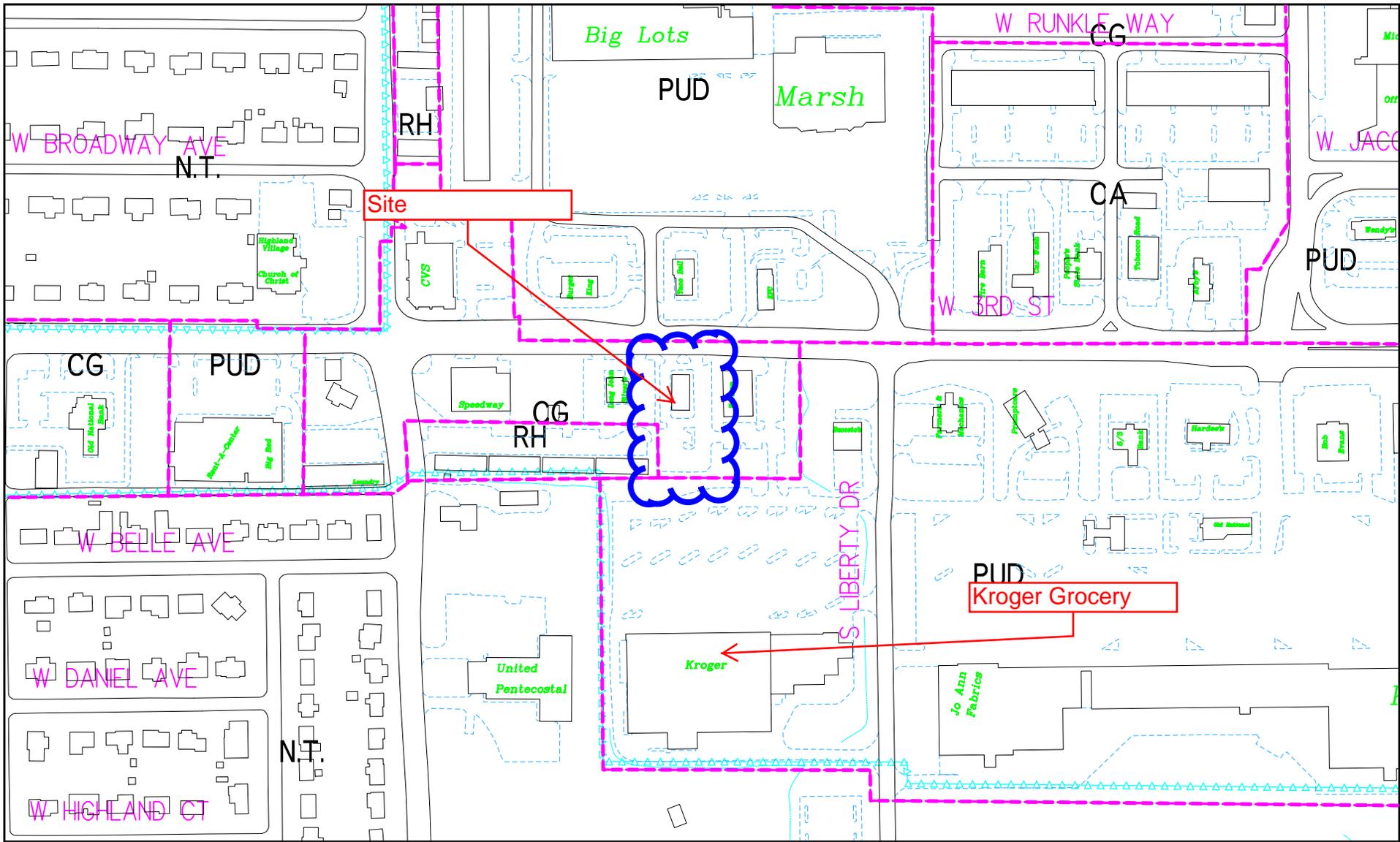
Maximum Number of Pumps: Staff finds practical difficulty in not allowing the increase in the number of pumps. Peculiar condition is found in the adjacent grocery store. As previously stated, convenience stores are permitted to have additional pumps as accessory. Although it is a separate property, this site will serve as accessory to the grocery and meets the intent of this code.

Parking Setback: This site is unique in that the width and the existing drive cuts on adjacent properties only allow one drive cut. In combination with the unique traffic flow of a gas station, the setback requirement of the drive and parking areas to be placed completely behind the façade of the building is not practical and justifies a variance.

Signage: Staff finds peculiar condition in the adjacent nature of a large number of the future trips associated with this property that will come from the south. Traditionally vehicular trips to gas stations are only from the adjacent street network. Since the property is being connected internally to the grocery store use, a large number of trips will enter from the south side. Therefore, staff finds it appropriate to allow signage to be oriented to both the north and south.

RECOMMENDATION: Based upon the written findings above, staff recommends approval of V-15-14 with the following condition:

1. The petitioner must receive subsequent grading, building, and signage permits prior to construction and sign installation.
2. The electronic reader board must be revised to meet the 40% maximum area of the sign.



V-15-14
 Location/Zoning/
 Land Use map

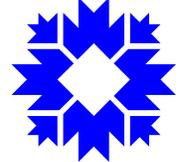
By: roachja
 6 Jun 14



For reference only; map information NOT warranted.



City of Bloomington
 Planning

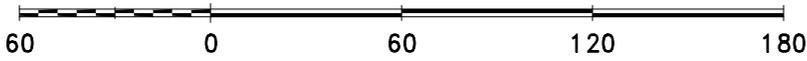


Scale: 1" = 300'

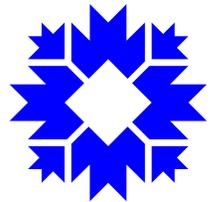


V-15-14
Aerial Photo

By: roachja
6 Jun 14



City of Bloomington
Planning



Scale: 1" = 60'

For reference only; map information NOT warranted.

GENERAL CONSTRUCTION NOTES:

- FOLLOW ALL FEDERAL, STATE AND LOCAL SAFETY REQUIREMENTS DURING CONSTRUCTION OF THIS PROJECT. SPECIAL CARE SHALL BE TAKEN DURING ALL TRENCHING OPERATIONS. SHEETING AND BRACING, CRIBBING, ETC. MUST BE INSTALLED AS REQUIRED TO PROVIDE MAXIMUM SAFETY TO THE CONTRACTOR'S WORKERS IN FULL COMPLIANCE WITH OSHA REGULATIONS.
- ABIDE BY ALL OSHA, FEDERAL, STATE AND LOCAL REGULATIONS WHEN OPERATING CRANES, BOOMS, HOSTS, ETC. IN CLOSE PROXIMITY TO OVERHEAD ELECTRIC LINES. IF EQUIPMENT MUST OPERATE CLOSE TO ELECTRIC LINES, CONTACT THE POWER COMPANY TO MAKE ARRANGEMENTS FOR PROPER SAFEGUARDS.
- ALL CONSTRUCTION SHALL BE CONDUCTED SUCH THAT THERE WILL BE MINIMAL INTERFERENCE WITH STREETS, DRIVES OR WALKS. MAINTAIN TRAFFIC FLOW AROUND THE WORK SITE. DO NOT CLOSE OR OBSTRUCT STREETS, DRIVES OR WALKS OR USER FACILITIES WITHOUT PERMISSION FROM THE OWNER'S REPRESENTATIVE, AND WRITTEN APPROVAL FROM THE STATE DOT, LOCAL MUNICIPALITY, COUNTY, OR OTHER GOVERNING AUTHORITY. MANNER AND METHOD OF ingress AND egress WITH RESPECT TO THE PROJECT AREA IS SUBJECT TO REGULATION AND WRITTEN APPROVAL OF APPROPRIATE GOVERNING AGENCIES.
- REVIEW CONSTRUCTION AND PROVIDE TRAFFIC SEQUENCE AND SCHEDULE AT THE PRE-CONSTRUCTION MEETING WITH KROGER STORE MANAGEMENT, LANDLORD REPRESENTATIVE, AND KROGER REGIONAL FACILITIES MANAGER.
- PROVIDE ADEQUATE BARRICADES AT DRIVES, ENTRANCES, EXCAVATIONS AND OTHER OPENINGS TO KEEP OUT UNAUTHORIZED PERSONS AND FOR PUBLIC SAFETY AND TRAFFIC CONTROL. SAFETY PROVISIONS OF APPLICABLE LAWS SHALL BE OBSERVED AT ALL TIMES. BARRICADES LEFT IN PLACE AT NIGHT SHALL BE LIGHTED.
- KEEP EXISTING STREETS, ROADS AND DRIVES CLEAR OF DIRT, DEBRIS AND EQUIPMENT.
- NO EQUIPMENT OR MATERIAL STORAGE IS PERMITTED WITHIN THE ROAD RIGHT-OF-WAY.
- PROVIDE SHORING AND DEWATERING TO ACCOMPLISH ALL WORK INDICATED ON PLANS AND TO PERFORM REQUIRED COMPACTION OPERATIONS.
- VERIFY ALL SITE CONDITIONS IN THE FIELD AND CONTACT THE OWNER IF THERE ARE ANY QUESTIONS OR CONFLICTS REGARDING THE CONSTRUCTION DOCUMENTS AND/OR FIELD CONDITIONS SO THAT APPROPRIATE REVISIONS CAN BE MADE PRIOR TO CONSTRUCTION. ANY CONFLICT BETWEEN DRAWINGS AND THE SPECIFICATIONS SHALL BE CONFIRMED WITH THE CONSTRUCTION MANAGER PRIOR TO BIDDING.
- THE OWNER AT ITS DISCRETION RESERVES THE RIGHT TO MODIFY THE DETAILS AND STANDARDS OF CONSTRUCTION FOR ALL PRIVATE FACILITIES THAT INDICATED ON THE APPROVED PLAN, PROVIDED THAT THE ALTERNATE STANDARD COMPLIES WITH LOCAL CODE AND/OR UTILITY COMPANY REQUIREMENTS AND THE GENERAL DESIGN INTENT OF THE PROJECT IS NOT COMPROMISED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION LAYOUTS AND SURVEYS REQUIRED TO PERFORM CONSTRUCTION. CADD FILE INFORMATION IS PROVIDED FOR REFERENCE ONLY.
- REFER TO APPROPRIATE SHEETS FOR EROSION AND SEDIMENT CONTROL, STORM DRAINAGE, UTILITY, PAVING, CURBING, AND SIGNAGE DETAILS AS APPLICABLE.
- AGGREGATES AND BITUMINOUS PAVEMENT MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE WITH STATE DOT SPECIFICATIONS. SUBMIT AGGREGATE SIEVE ANALYSIS AND A JOB MIX FORMULA FOR THE BITUMINOUS PAVEMENT TO THE CONSTRUCTION MANAGER FOR REVIEW AND APPROVAL AT LEAST 14 DAYS PRIOR TO THE PLACEMENT OF BITUMINOUS PAVEMENTS.
- VERIFY ALL DIMENSIONS FOR BUILDING WALLS, CONCRETE SLABS, UTILITY SERVICE POINT CONNECTIONS, AND THE PROPOSED WORK, AND NOTIFYING THE OWNER AND ENGINEER OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO CONSTRUCTION.
- SUBMIT SHOP DRAWINGS OF ALL PRODUCTS AND MATERIALS TO THE OWNER AND LOCAL UTILITY COMPANIES AS REQUIRED FOR REVIEW AND APPROVAL PRIOR TO FABRICATION OR DELIVERY TO THE SITE. ALLOW A MINIMUM OF 14 DAYS FOR REVIEW.
- REFERENCE ARCHITECTURAL PLANS FOR EXACT DIMENSIONS AND CONSTRUCTION DETAILS OF BUILDING, CANOPY, ROOF DRAINS, RAISED CONCRETE SIDEWALKS, AND RAMPS.
- TRAFFIC CONTROL SIGNAGE SHALL CONFORM TO THE STATE DOT STANDARD DETAIL SHEETS AND THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. SIGNS SHALL BE INSTALLED PLUMB.
- FIRE LANES SHALL BE ESTABLISHED AND PROPERLY DESIGNATED IN ACCORDANCE WITH THE LOCAL MUNICIPALITY AND LOCAL FIRE DEPARTMENT REQUIREMENTS.
- REMOVE CONFLICTING PAVEMENT MARKINGS IN A METHOD PROVIDED BY THE STATE DOT.
- ALTERNATIVE METHODS AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED IF REVIEWED AND APPROVED BY THE OWNER, ENGINEER, AND APPROPRIATE REGULATORY AGENCIES PRIOR TO INSTALLATION.
- PROVIDE AS-BUILT RECORDS OF ALL CONSTRUCTION (INCLUDING UNDERGROUND UTILITIES) TO THE ENGINEER FOLLOWING COMPLETION OF CONSTRUCTION ACTIVITIES.

SITE DATA

SITE:
 PARCEL ADDRESS: 3709 W. 3RD STREET
 OVERALL PARCEL ACRES: 0.81 AC (25,495 SF)
 APPROXIMATE DISTURBED ACREAGE = 0.85 AC

LAND USE:

CURRENT ZONE: CG, COMMERCIAL GENERAL
 MAXIMUM IMPERVIOUS AREA: 60% (21,297 SF)
 PROPOSED IMPERVIOUS AREA: 54% (19,198 SF)

SETBACKS:

BUILDING / PARKING:
 FRONT: 15 FEET
 SIDE: 7 FEET
 REAR: 7 FEET

BUILDINGS:

MAXIMUM ALLOWED BUILDING HEIGHT:
 PRIMARY STRUCTURE: 50 FEET
 ACCESSORY STRUCTURE: 35 FEET
 PROPOSED BUILDING HEIGHT: 19 FEET

PARKING:

REQUIRED PARKING:
 FUEL CENTER: 1 SPACE PER 200SF OF SALES AREA
 FUEL CENTER AREA: 173SF
 REQUIRED SPACES: 173 / 200 = 1 SPACE
 TOTAL SPACES REQUIRED: 1
 PROPOSED PARKING: 2 SPACES (1 ADA SPACE INCLUDED)

REFER TO DRAWING C2.1 FOR SIGNAGE REQUIREMENTS.
 REFER TO DRAWING L1.1 FOR LANDSCAPING REQUIREMENTS.

SCHEDULE:

- 170'-0" x 24'-0" CANOPY (4,048 S.F.) FOR REFERENCE ONLY. RE: CANOPY PLANS FOR EXACT DIMENSIONS.
- 3'-0" x 21'-7" KIOSK (173 S.F.) FOR REFERENCE ONLY. RE: ARCH / KIOSK PLANS FOR EXACT LOCATION / DIMENSIONS.
- 3'-0" x 5'-0" DISPENSER ISLAND (TYP. 6) FOR REFERENCE ONLY. RE: ARCH PLANS FOR EXACT LOCATION.
- DOUBLE WALL UNDERGROUND STORAGE TANK (1-18,000 GAL. DUAL COMPARTMENT) DIESEL (10,000 GAL.) AND PREMIUM UNLEADED (8,000 GAL.) TANK. FOR REFERENCE ONLY. RE: ARCH. PLANS FOR EXACT LOCATION / DIMENSIONS.
- DOUBLE WALL UNDERGROUND STORAGE TANK (1-20,000 GAL. SINGLE COMPARTMENT) REGULAR UNLEADED TANK. FOR REFERENCE ONLY. RE: ARCH. PLANS FOR EXACT LOCATION / DIMENSIONS.
- CANOPY COLUMN (TYP. 12). RE: ARCH / CANOPY PLANS FOR EXACT LOCATION / DIMENSIONS.
- INTERNALLY ILLUMINATED CANOPY PRICE SIGN. FOR REFERENCE ONLY. RE: ARCH PLANS FOR EXACT LOCATION / DIMENSIONS.
- ILLUMINATED CANOPY LOGO SIGN (TYP. 3). FOR REFERENCE ONLY. RE: ARCH PLANS FOR EXACT LOCATION / DIMENSIONS.
- NON-ILLUMINATED KIOSK LOGO SIGN (TYP. 2). FOR REFERENCE ONLY. RE: ARCH PLANS FOR EXACT LOCATION / DIMENSIONS.
- INTERNALLY ILLUMINATED "KROGER" CHANNEL LETTER SIGN (TYP. 2). FOR REFERENCE ONLY. RE: ARCH PLANS FOR EXACT LOCATION / DIMENSIONS.
- 8" PIPE BOLLARD (TYP. 10). RE: ARCH PLANS FOR DETAIL.
- 8" PIPE BOLLARD WITH WARNING SIGN (TYP. 4). RE: ARCH PLANS FOR DETAIL.
- INVERTED U-SHAPED STEEL PIPE GUARD POST (TYP. 12). RE: ARCH PLANS FOR DETAIL.
- EMERGENCY SHUT-OFF SWITCH MOUNTED ON KIOSK, WITH DISTINCTLY LABELED SIGN READING "EMERGENCY FUEL SHUTDOWN DEVICE" (TYP. 2). FOR REFERENCE ONLY. RE: ARCH PLANS FOR DETAIL / EXACT LOCATION.
- OBSERVATION WELLS (TYP. 2) SIZE AS SHOWN ON PLAN. FOR REFERENCE ONLY. RE: ARCH PLANS FOR EXACT LOCATION.
- 3" THICK CONCRETE SLAB UNDER CANOPY WITH 2" CHAMFERED CORNERS. RE: ARCH PLANS FOR JOINING A SLAB SECTION.
- 3" THICK CONCRETE SLAB OVER UNDERGROUND STORAGE TANKS AND PRODUCT PIPING WITH 2" CHAMFERED CORNERS. RE: ARCH PLANS FOR JOINING A SLAB SECTION.
- AIR COMPRESSOR (BY OTHERS) ON (4,000 PSI) CONCRETE PAD (BY CONTRACTOR). RE: ARCH PLANS FOR DETAIL.
- MANHOLE WITH H+20 RATED ACCESS COVER FOR ROUND ROO. RE: ARCH PLANS FOR DETAIL.
- REAR RISER STACK, MIN. 12' ABOVE FINISHED GRADE. RE: ARCH PLANS FOR DETAIL.
- B11 EMERGENCY CALL BOX. RE: ARCH PLANS FOR DETAIL.
- 4" WIDE PAINTED STRIPING @ 45° AND 2" ON CENTER (TYP.) COLOR AS NOTED ON PLANS.
- 24" WIDE WHITE PAINTED STOP BAR (TYP. 4)
- 4" WIDE PAINTED STRIPING, COLOR AS NOTED ON PLANS.
- EXISTING LIGHT POLE
- CONCRETE CURB AND GUTTER. RE: C1.2 FOR GUTTER SLOPE. RE: ARCH PLANS FOR DETAIL.
- OUTDOOR MERCHANDISING. RE: C2.1 AND ARCH PLANS FOR ELEVATIONS AND EXACT LOCATION.
- PEDESTRIAN WALK-WAY STRIPING. RE: ARCH PLANS FOR EXACT LOCATION / DIMENSIONS.
- PROPANE STORAGE PAD AND CABINET
- HEAVY DUTY ASPHALT PAVEMENT
- PERVIOUS PAVEMENT
- 3" THICK (4,000 PSI) CONCRETE PAD AROUND STRUCTURE.
- TRAFFIC CONTROL SIGN
- HANDICAP PARKING PAVEMENT SYMBOL.
- STRAIGHT CURB
- REUSE EXISTING PYLON SIGN STRUCTURE. REFACE SIGN WITH KROGER FUEL PRICING.
- PARKING SPACE COUNT

PAVEMENT LEGEND

DESCRIPTION	PROPOSED
PERVIOUS PAVEMENT	[Pattern]
HEAVY DUTY ASPHALT	[Pattern]
CONCRETE PAVEMENT	[Pattern]

[NOTE: ALL TRASH WILL BE BAGGED DAILY AND DISPOSED OF IN A MAIN STORE DUMPSTER.]



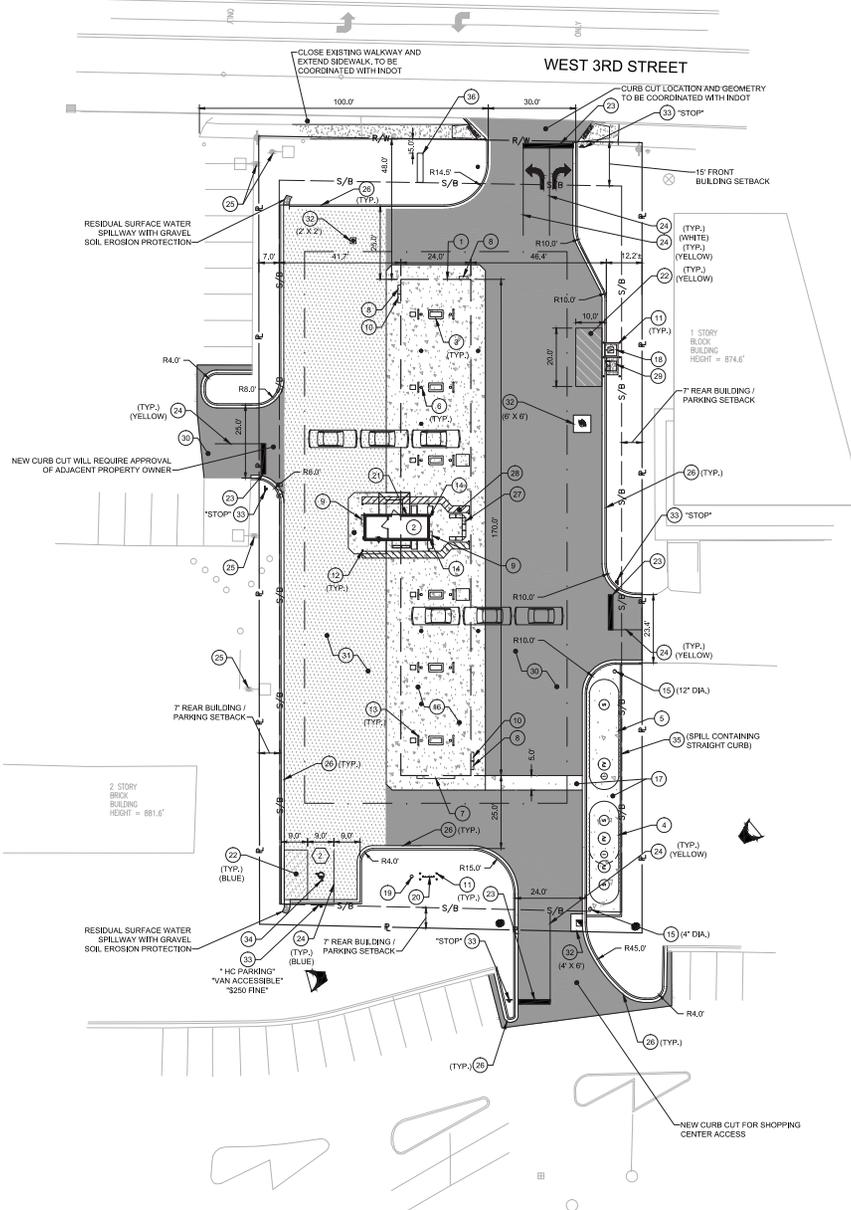
Know what's below.
 Call before you dig.



GRAPHIC SCALE: 1" = 20'

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THIS SET OF DRAWINGS AND DOCUMENTS IS INTENDED AS A SET OF GUIDELINES FOR THE PROJECT AND ARE INTENDED TO BE USED IN CONJUNCTION WITH A SET OF CONSTRUCTION SPECIFICATIONS TO BE SUPPLIED BY OWNER. THEY SHOULD BE READ TO INCORPORATE ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES INCLUDING FEDERAL A.D.A. REQUIREMENTS. THIS SET ASSUMES THE USER HAS NO UNUSUAL LOCAL CONDITIONS OR HAZARDOUS. THE FAILURE OF THIS CONDITION ANY REQUIRE CODES AND TO IGNORE THE DIMENSIONS/ARCHITECTS OF ANY QUESTIONS OR CLARIFICATION SHOULD BE USED. CONTRACTORS SHALL ALSO USE THE SITE BEFORE BIDDING. CONTRACTORS ARE REQUIRED TO KNOW ALL APPLICABLE CONDITIONS AND APPLICABLE CODES.



REVISIONS

No.	DESCRIPTION	DATE
1	SITE PLAN APPROVAL	04-21-2014
2	FINAL SPA	05-07-2014

Project No.: 014-00119-00
 Project Manager: KLEIN
 Designed By: SALA
 Drawn By: SALA
 Checked By: HARTMAN
 Store No.: J-960
 Address: 3709 W. 3RD STREET BLOOMINGTON, IN 47404

PRELIMINARY SITE PLAN

Drawing No.: C1.1

V-15-14 Site Plan

HEIGHT OF KIOSK: 11'-4"
 KIOSK AREA: 21'-7" X 8'-0" = 173 SF
 HEIGHT TO BOTTOM OF CANOPY: 15'-6" MIN
 CANOPY AREA: 24'-0" X 170'-0" = 4,080 SF
 HEIGHT OF FASCIA: 3'-6"

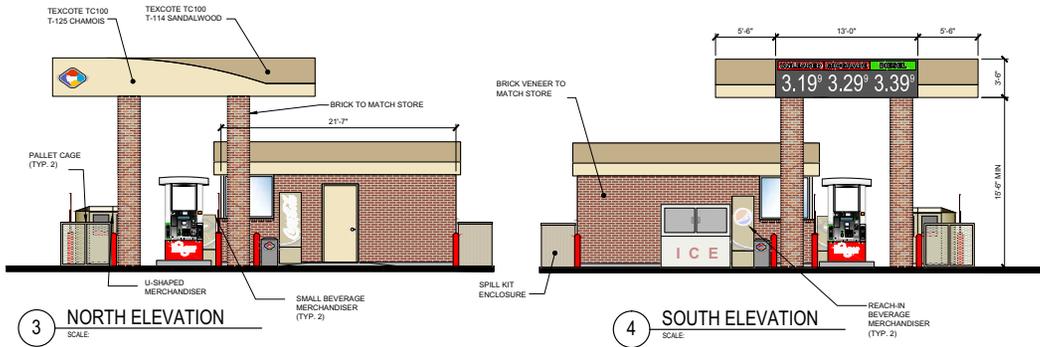
SIGNAGE REQUIREMENTS:

FREE STANDING SIGNS:
 REQUIREMENTS:
 1 FREE STANDING SIGN
 SETBACK: MINIMUM 2' FROM FRONT PROPERTY LINE
 MAXIMUM AREA: 45 SF / SIDE
 MAXIMUM HEIGHT: 15 FT
 LANDSCAPING SURROUNDING THE SIGN.
 PROPOSED:
 1 FREE STANDING SIGN
 5' SETBACK FROM FRONT PROPERTY LINE
 SIGN AREA: TBD
 SIGN HEIGHT: TBD
 LANDSCAPING SURROUNDING THE SIGN.

WALL SIGNS (CANOPY):
 REQUIREMENTS:
 MAXIMUM CUMULATIVE AREA: 1.5 SF / FACADE LINEAL FRONTAGE
 CANOPY: 1.5 SFLF X 24 LF = 36 SF
 KIOSK: 1.5 SFLF X 21'-7" LF = 32.5 SF
 PROPOSED:
 CUMULATIVE CANOPY SIGNAGE AREA: 75.58
 CUMULATIVE KIOSK SIGNAGE AREA: 5.60

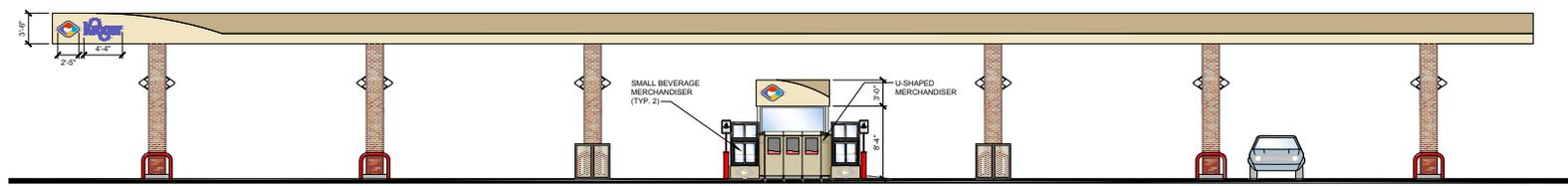
*** SIGNAGE VARIANCE WILL BE REQUIRED FOR THE FUEL CENTER ***

SIGNAGE SCHEDULE			
SIGN	QUANTITY	SIGN AREA [SF]	TOTAL AREA [SF]
	1	45.50	45.50
	CANOPY	2.80	5.60
	KIOSK	2.80	5.60
	2	10.83	21.66
MONUMENT SIGN	1	60.71	60.71
		TOTAL	81.16

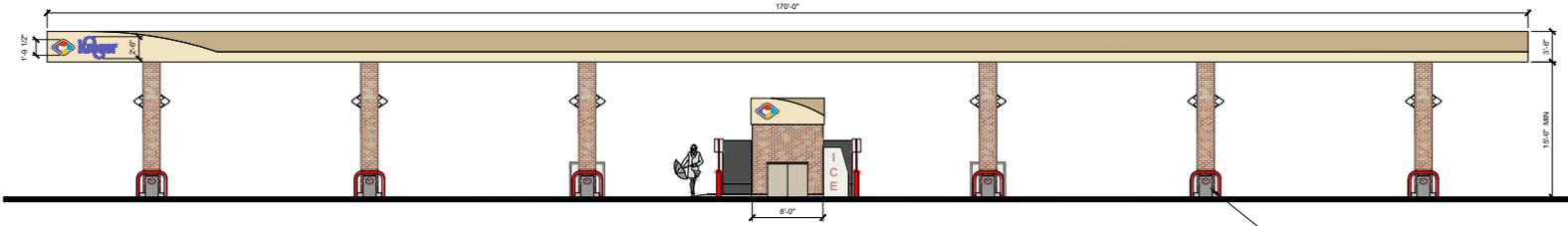


3 NORTH ELEVATION
SCALE

4 SOUTH ELEVATION
SCALE



2 EAST ELEVATION
SCALE



1 WEST ELEVATION
SCALE

SSOE
 SSOE, INC.
 ARCHITECT & ENGINEERS
 11007 W. 96TH STREET
 SKOKIE, IL 60077
 Phone: (708) 440-1000

Kroger
 The Kroger Co.
 CENTRAL MARKETING AREA
 6900 Calumet Ave. Ste. 200
 Chicago, IL 60649
 Phone: (773) 379-8100

Professional Engineer Seal
 State of Illinois
 No. 0421004
 Exp. 05/07/2014

REVISIONS	
No.	DESCRIPTION
1	SITE PLAN APPROVAL
2	FINAL SPA

Project No.: 014-00110-00
 Project Manager: KLEIN
 Designed By: SKALA
 Drawn By: BICKARD
 Checked By: HARTMAN
 Store No.: J-960
 Address: 3708 W. 3RD STREET
 BLOOMINGTON, IN 47404

COLOR ELEV. & SIGNAGE DETAILS

Drawing No.: C2.1

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
LOCATION: 907 S. Manor Road**

**CASE #: V-18-14
DATE: June 11, 2014**

PETITIONER: Gracis Clark
907 S. Manor Rd., Bloomington, IN

REQUEST: The petitioner is requesting a variance from front yard building setback standards to allow a new carport.

REPORT SUMMARY: The subject property is located at 907 S. Manor Rd. and is zoned Residential Single-family (RS). This 0.21 acre property is approximately 50' wide and 175' deep and has been developed with a single family residence. There is an existing driveway on Manor Drive for the residence that is approximately 10' wide. The house is located approximately 6' from the side property lines to the north and south.

The petitioner would like to construct a 10' wide by 18' long carport over a portion of the existing driveway. The carport would be placed at the end of the driveway closest to the house and would be located approximately 25' from the front property line and 40' from the street.

The Unified Development Ordinance requires that a detached carport be located 10' behind the front of the house. Since the current house is only 6' from the side property line to the south, it is not possible to construct a carport behind the front that meets the front setback requirement and so the petitioner is requesting a variance from that standard. There are several carports in this area and a variance was also approved in 1998 (V-21-98) for an adjacent property to allow for a carport to be constructed within the front setback in a similar manner.

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 this variance request will not negatively affect the public health, safety, morals, or general welfare of the community. There are other carports in this area that exist in the front setback with no negative impacts.

- 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.*

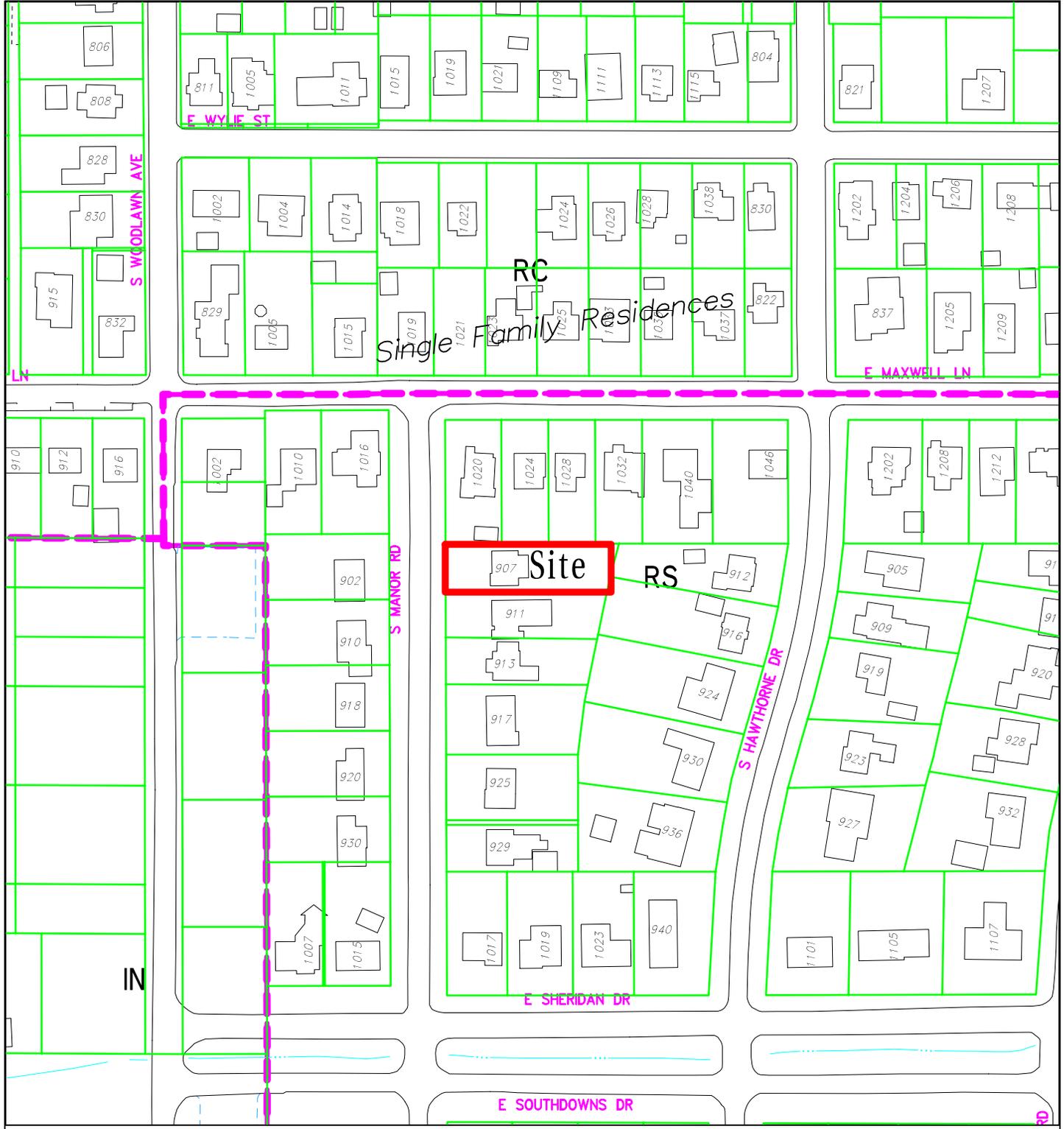
STAFF FINDING: Staff finds no adverse impacts to the use and value of the surrounding area associated with the proposed variance. Once again, there are other carports in this area in the front setback with no negative impacts. A letter of support has been received from the adjacent property owners stating no objection to the petition. The Elm Heights Neighborhood Association as well supported this petition.

- 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.*

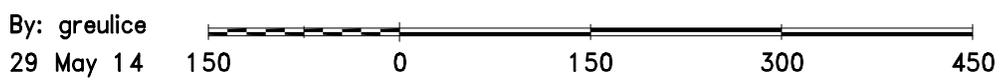
STAFF FINDING: Staff finds peculiar condition in that the house is located only a few feet from the south property line and there is not enough room between the house and the property line to construct a carport that meets the setback requirements. In addition, the substandard lot width and location of the house creates a practical difficulty in the use of the property since the reduced lot width does not allow for a carport to be installed on the property. Without the granting of the variance, it is not possible to construct a carport to provide protection for the petitioner's car in a manner similar to other houses in the neighborhood.

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

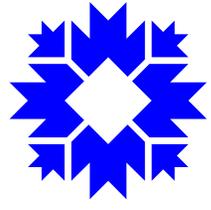
1. A right-of-way permit is required prior to any work in the right-of-way.



V-18-14 Gracia Clark
 907 S. Manor Road
 Hearing Officer
 Site Location, Zoning, Land Use, Parcels

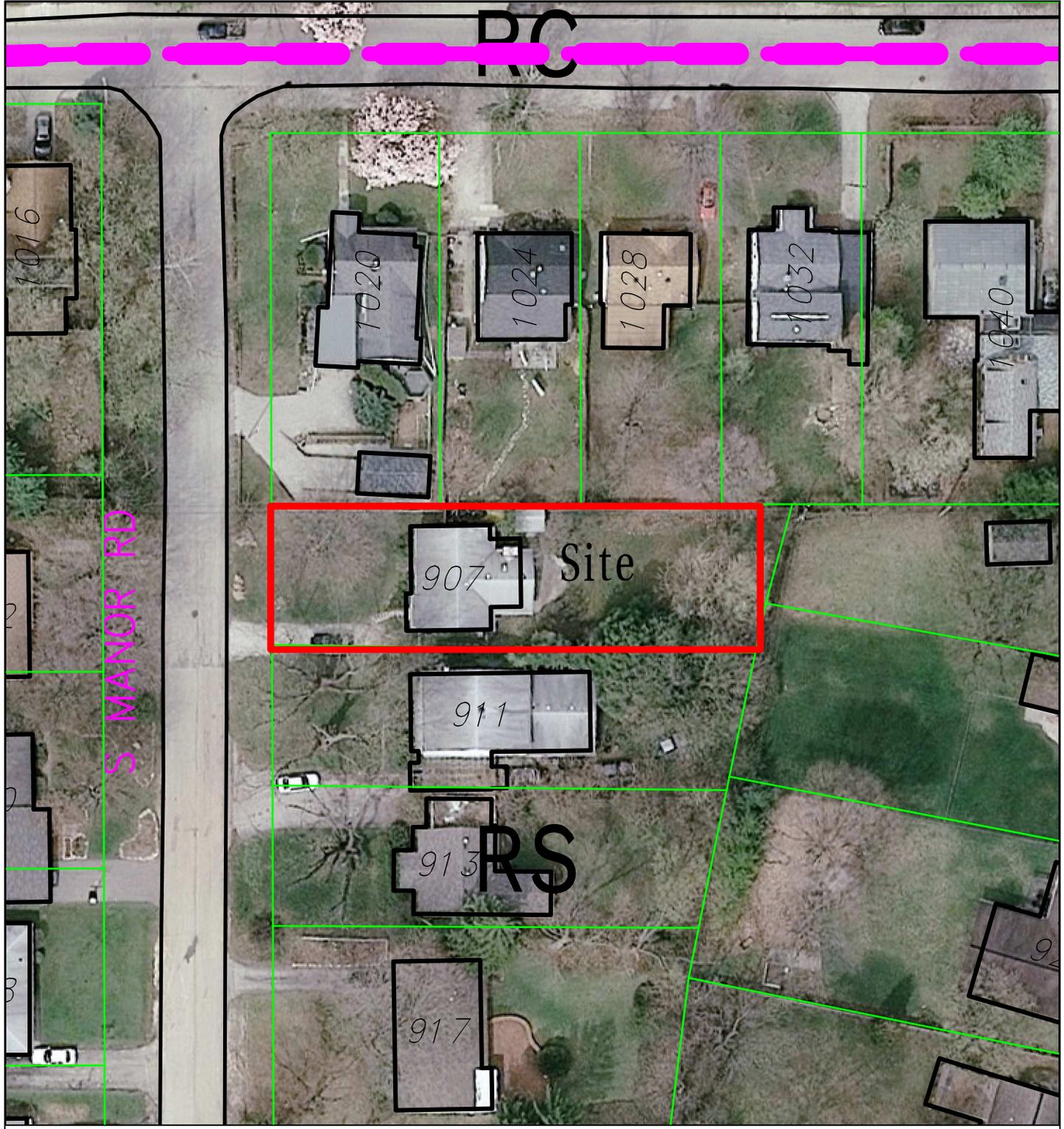


City of Bloomington
 Planning



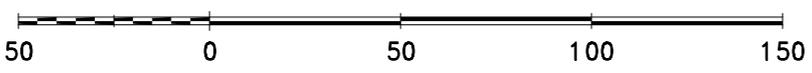
Scale: 1" = 150'

For reference only; map information NOT warranted.

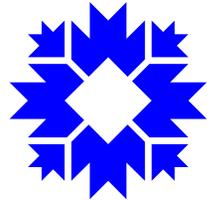


V-18-14 Gracia Clark
 907 S. Manor Road
 Hearing Officer
 2010 Aerial Photograph

By: greulice
 29 May 14



City of Bloomington
 Planning



Scale: 1" = 50'

For reference only; map information NOT warranted.

Gracia Clark
907 S Manor Road
Bloomington IN 47401
May 23, 2014

Hearing Officer
Planning Department
City of Bloomington
401 N. Morton St., Room #130
Bloomington, IN 47404

Dear Hearing Officer,

I would like to request a variance of the planning code to set up a carport in the driveway of my home at the above address. Mr. Eric Greulich of the planning department has been advising me, and I enclose copies of the documentation that he asked me to collect and include with my petition. These include pictures of the proposed carport and its site, a survey and scaled outline of the carport within the lot. I have showed the pictures and installation to my immediate neighbors, who signed to consent on a page enclosed. I also presented the photos to my neighborhood association, Elm Heights, who voted to accept them at a meeting earlier this month. I have printed out the email to this effect from the association president and enclosed it. Last winter showed us the great need for this improvement, to shelter our car (a convertible) from the snow, hail and rain,

The carport we have selected is a Vitoria 5000 manufactured by PALRAM. It measures 10 ½ feet wide and 16 ½ feet long, and rises to a height of 7 feet in the middle. I enclose the picture of this model from the PALRAM website. Photos A, E and H show the dimensions of the model by my standing at the farthest corner it would occupy; my arm extended upward approximates seven feet at my height of 5'10". The design is both graceful and relatively inconspicuous, and its size is sufficient for our relatively small car. The materials are powder-coated steel posts and frames, with curved polycarbonate roof panels. Since it is bolted to small cement foundation posts, it is wind and snow resistant but can be removed and disassembled easily when desired. The kit is available on the web for about \$1850.

A variance from development standards is requested to install this carport on the existing driveway in front of the house. This is necessary because of the unusual narrowness of the lot: fifty feet wide, as shown on the survey and in photos C and F. There is not enough physical clearance on either side of the house to extend the driveway to the back of the house or to fit in the carport itself, still less to meet the eight-foot side setback required by code. The same tight fit would also prevent building a garage in the back, since there is no alley or other possible access behind the property. On the south side, the clearance is 9'2", and a rather steep rise starts just over the property line to that neighbor's higher front yard. On the north side, the clearance is only 6'2" and that side piece slopes steeply down from the house to that neighbor's back yard. This narrow lot is unique within the street, where several homes have carports attached to the side of the house.

The carport would be erected inside the existing gravel driveway, which is 11'4" wide, as indicated in yellow on the scale drawing. There is a one-foot clearance between the south property line and the current driveway. The extra foot will allow room to pour the foundation posts and enable that neighbor good access to his sloping edge for mowing it. It would not be advisable to put the carport at the outer end of the driveway for two reasons: 1) greater visibility and 2) intermittent flooding after heavy rains that creates a pool extending at times beyond the easement ditch.

This location would also partly shield the carport from view and harmonize with the neighboring frontages. The north side neighbor, facing Maxwell, was given a variance to build a garage that extends approximately the same distance towards Manor Rd. (see photos B and G) The south side neighbor's front yard has a higher elevation further raised by an attractive arrangement of large log segments, which extends a bit farther towards Manor Rd than the proposed carport. (see photos A, B and E)

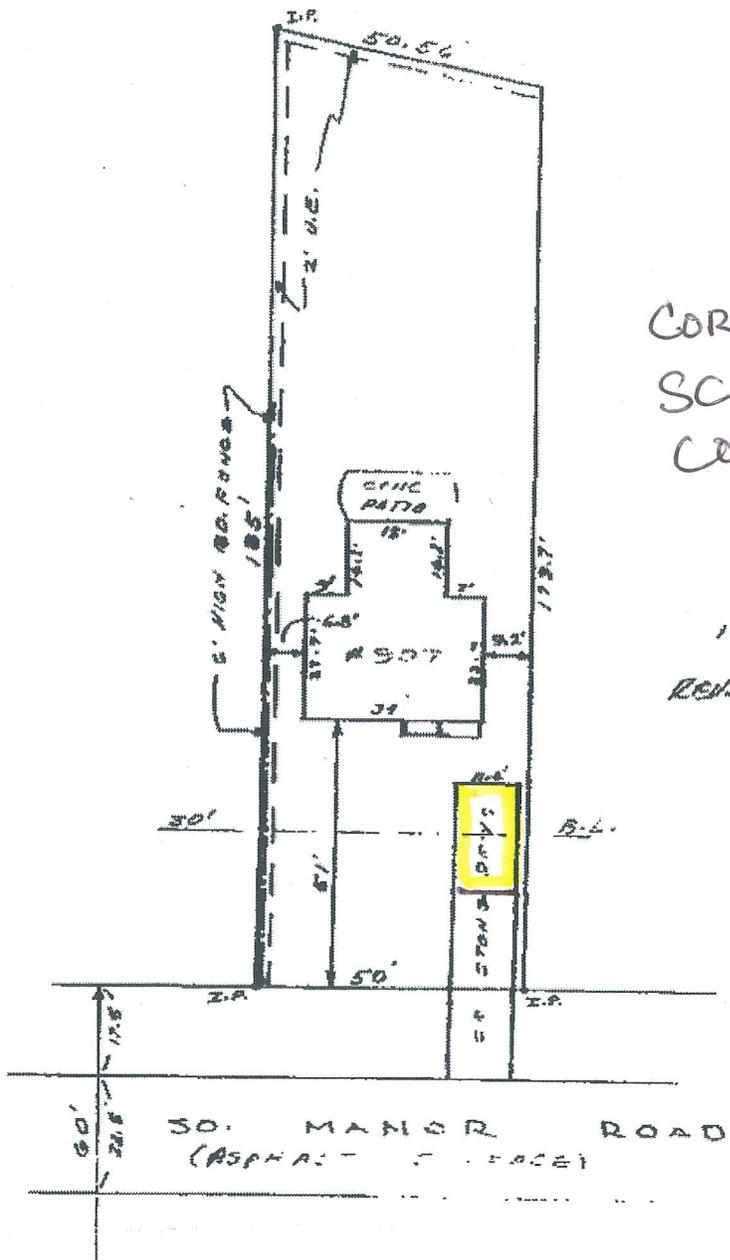
I submit this petition to meet the filing deadline for your meeting scheduled for 6/11/14. I hope that you will be able to consider it fully on that date and that it will meet with your approval. If you would like any further information on the subject, please feel free to call me at (cell) 812-219-8988. Thanks for your prompt attention.

Sincerely,



Dr. Gracia Clark
Professor of Anthropology
Indiana University, Bloomington

LOCATION OF PROPOSED CARPORT



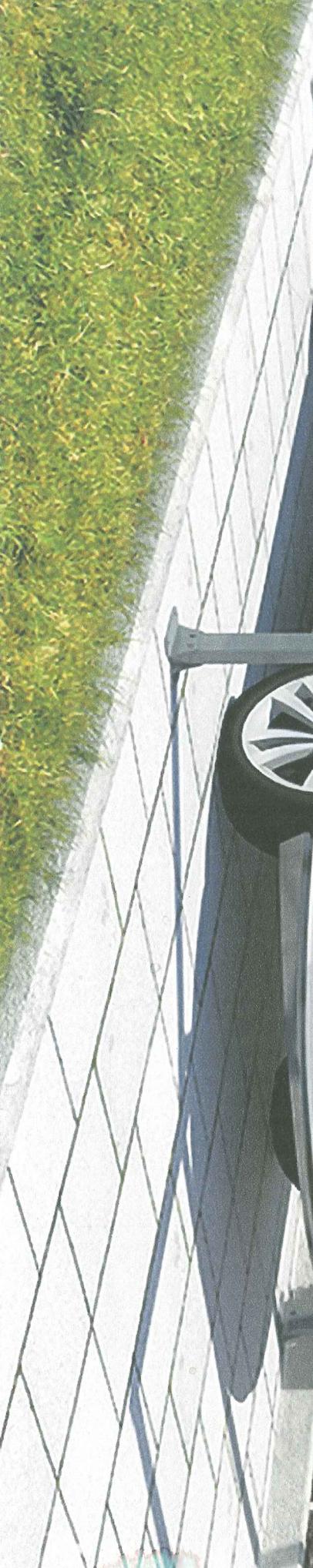
CORRECT SCALE COPY



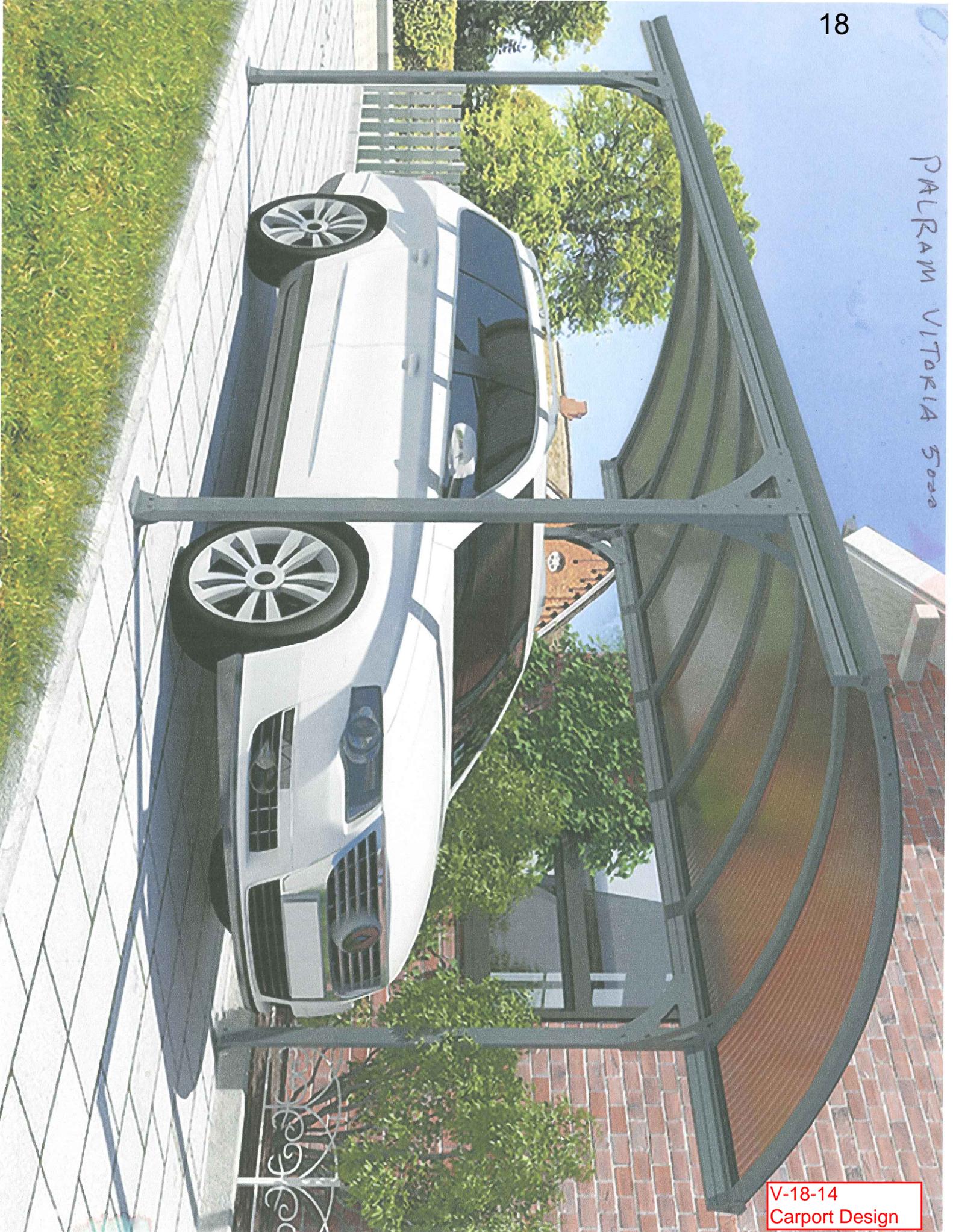
1" = 30'

REV. - 9/3/91

PALRAM VITORIA 5000



PALRAM VITOKIA 5000



V-18-14
Carport Design

TO WHOM IT MAY CONCERN:

I have seen the carport design proposed for 907 South Manor Rd by Gracia Clark and I have no objection to the granting of a planning variance for this purpose.

Name

Date

Address

Signature

Richard Hamlin		911 S. MANOR	Richard Hamlin
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Erlene Stetson		1070 E. Maxwell Lane	
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Eric Ost		902 S. Manor Rd. East	
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