

CITY OF BLOOMINGTON



JANUARY 7, 2015 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

AGENDA

CITY OF BLOOMINGTON
HEARING OFFICER
January 7, 2015 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

- V-43-14 **Cynthia Patton**
1014 S. Lincoln St.
Request: Variance from side yard building setback standards to allow a new detached shed.
Case Manager: Eric Greulich

- V-44-14 **First Financial Bank**
530 N. College Ave.
Request: Variance from signage standards to allow a projecting sign above an existing tenant space.
Case Managers: Beth Rosenbarger/Jim Roach

PETITIONER: Cynthia Patton
1014 S. Lincoln St., Bloomington

REQUEST: The petitioner is requesting a variance from sideyard building setback standards to allow the construction of a detached shed.

SUMMARY: The property is located at 1014 S. Lincoln St. and is zoned Residential Core (RC). The property has been developed with a single family residence with an alley along the north and west property lines. The lot is surrounded on all sides by single family homes. The property is located within the Bryan Park Neighborhood.

The property previously had a detached garage located in the rear that was accessed from the alley along the north property line. The garage had deteriorated in condition and was demolished several years ago. There was also a concrete pad beneath the garage that was in good condition and was preserved. The former garage and concrete pad were located on the north property line adjacent to the alley with no setback. The petitioner would like to construct a new 10'x12' shed and place it on the same concrete pad that was previously used for the garage. The new shed would be located approximately 2' inside the north property line.

The UDO requires detached sheds to be located 5' from side and rear property lines. Since the existing pad and the proposed location for the new shed do not meet the 5' setback requirement, the petitioner is requesting a variance to allow a 2' setback instead. The shed would meet all other setback requirements.

The petitioner presented this project to the Bryan Park Neighborhood Association at their November 25, 2014 neighborhood meeting and the association supported this variance request.

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. There will be no change in the use of the property as a result of the proposal. There are several sheds with similar setbacks in the immediate area with no known 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.*

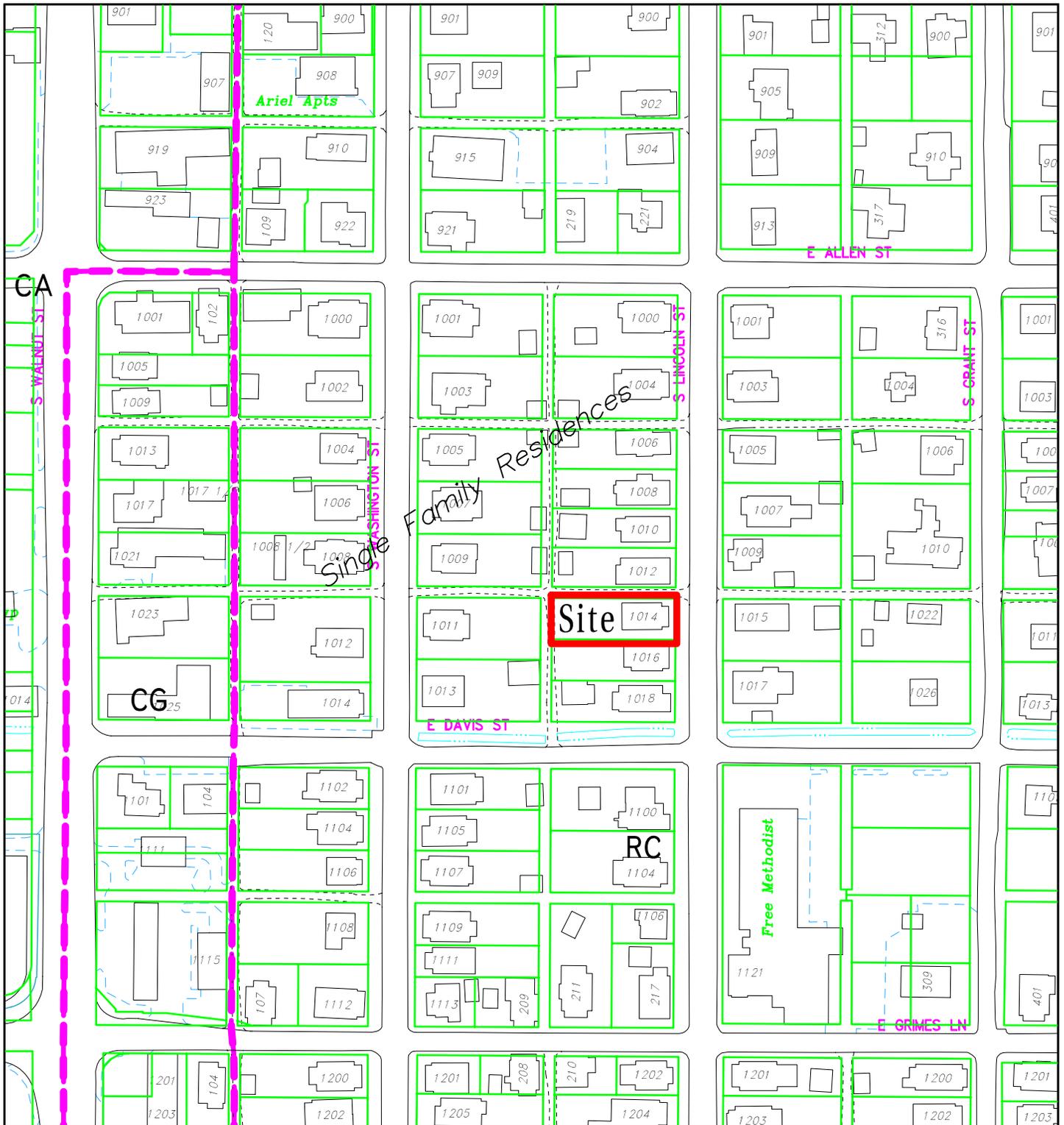
STAFF FINDING: Staff finds no negative effects from this proposal on the areas adjacent to the property. There are several sheds on the surrounding adjacent properties that are located on a side or rear property line with no known negative impacts. The presence of the alley adjacent to the shed provides the open space desired by setback requirements. The new shed will be set back further than the previous garage. As mentioned previously, this request was supported by the neighborhood association.

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 the location of the existing concrete pad and the historic development pattern of sheds in this neighborhood located within the required setbacks, especially when adjacent to an alley. Practical difficulty is found in the fact that strict application of the terms of the UDO would not allow the shed to be constructed in the location of the previous garage and use the current concrete pad without a variance. The new shed will have a greater setback than the previous structure and improve the setback from the property line.

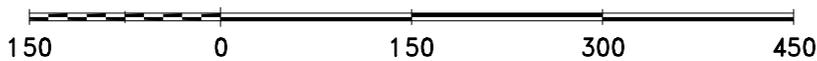
RECOMMENDATION: Based upon the written findings above, staff recommends approval of the variance request with the following condition:

1. A building permit is required prior to construction.



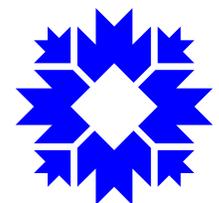
V-43-14 Cynthia Patton
 1014 S Lincoln St
 Hearing Officer
 Site Location, Parcels, Zoning, Land Use

By: greulice
 31 Dec 14

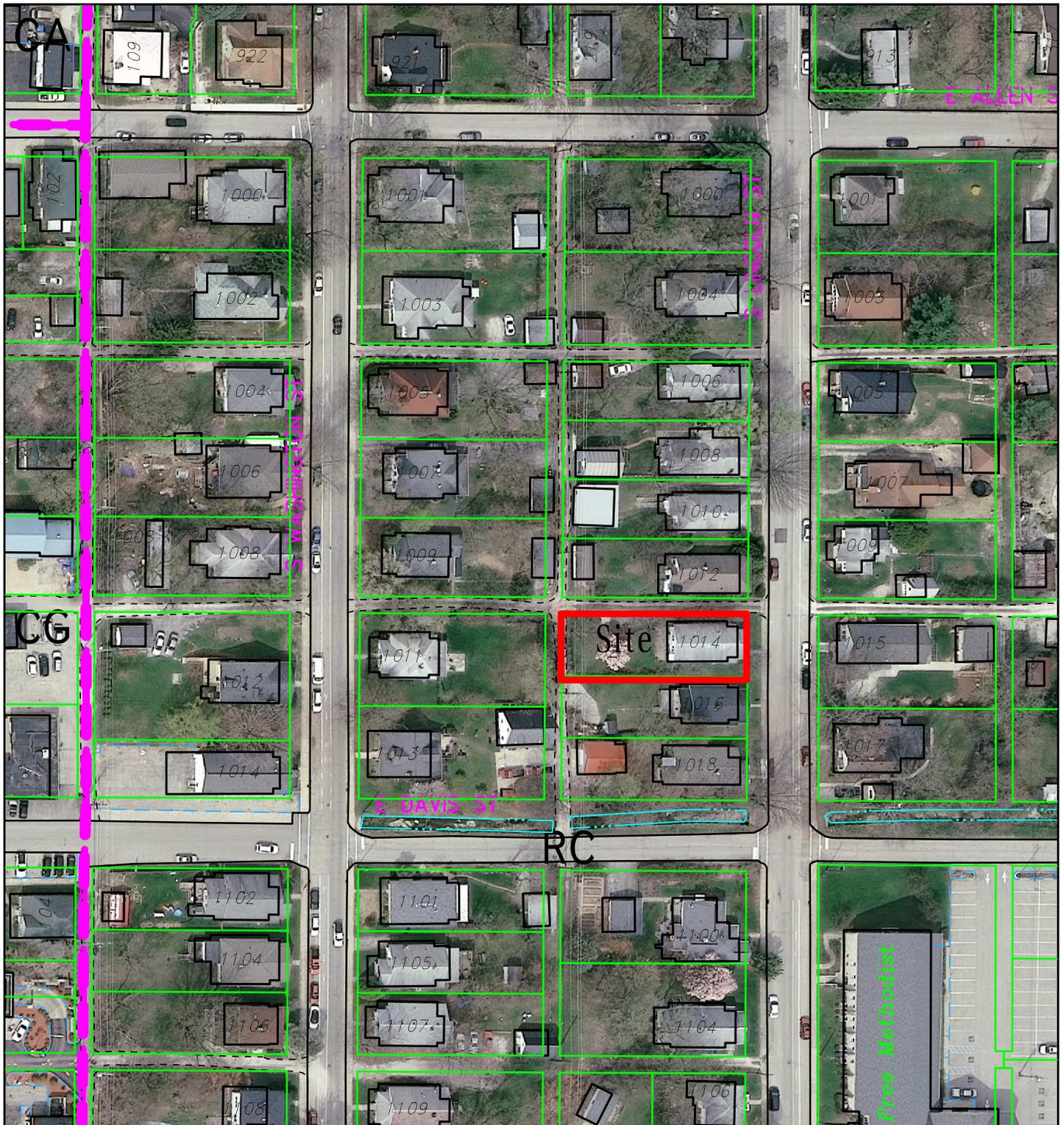


For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation



Scale: 1" = 150'



V-43-14 Cynthia Patton

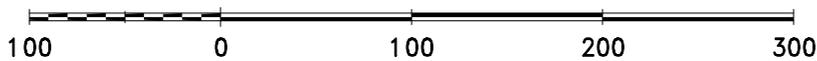
1014 S Lincoln St

Hearing Officer

2010 Aerial Photograph

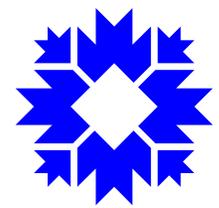
By: greulice

31 Dec 14



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 100'

Cynthia & Chris Patton
1014 S. Lincoln Street
Bloomington, IN 47401

December 3, 2014

To Whom It May Concern:

We are requesting a variance from Bloomington zoning laws in order to place a shed in the backyard at our primary residence (1014 S. Lincoln Street).

Our understanding is that current Bloomington zoning laws require all new structures be placed five feet inside one's property line.

When I purchased the home in 2006, there was a single-car garage on a concrete pad. I had the structure removed within a few months of purchase because it had termites and was in generally poor condition. The concrete pad is very close to the North boundary of the property.

I am requesting a variance at this time because I want to place a 10' x 12' garden shed on the existing concrete pad. Given that the pad (approximately 11' 6") is wider than the shed, we believe that we will be able to place the shed at least 2' feet inside the property line to the North and a full 5' inside the property line to the West.

The only way we could place the shed a full 5' feet inside the North property line would be to tear down an existing fence (which we just installed 3 years ago) and pour another concrete pad.

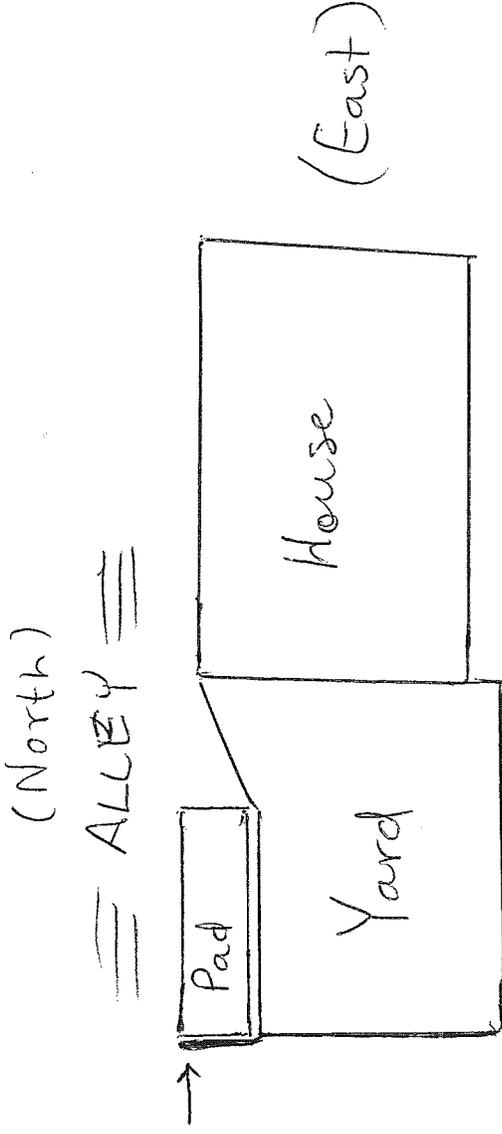
The homes in our area of the Bryan Park neighborhood (including our block of Lincoln Street) virtually all have single- or double-car garages and most of these garages are placed very near the property line for that dwelling and do not meet current zoning requirements.

We presented our request to the Bryan Park Neighborhood Association on Tuesday, November 25th – a meeting attended by Eric Gruelich – and received unanimous approval for our request for a variance.

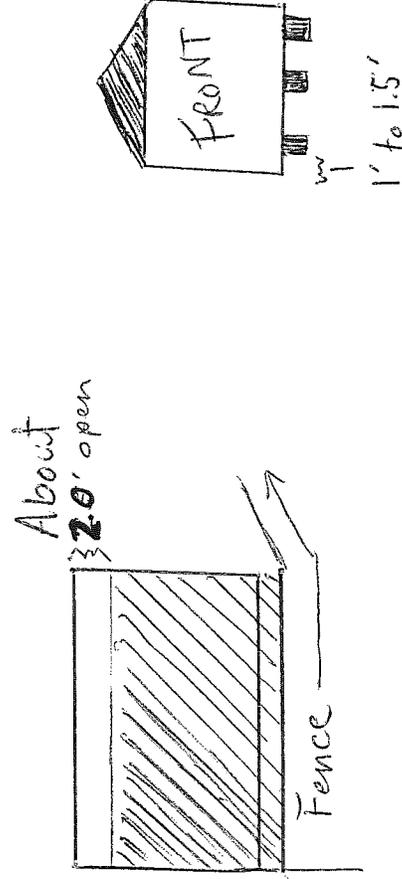
Sincerely,

Cynthia Patton
812-339-0592
812-508-5419

V-43-14
Petitioner Statement

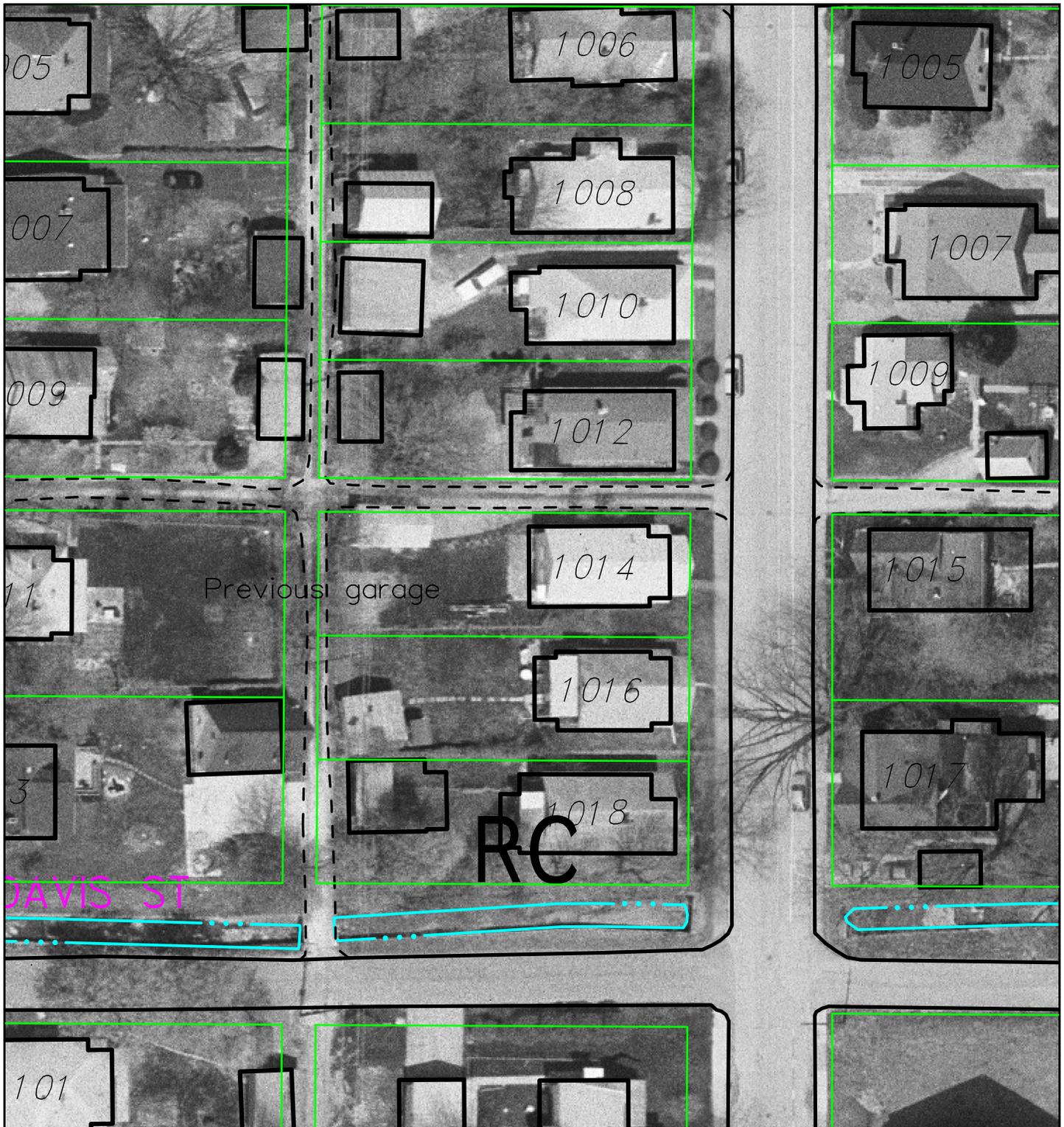


Existing fence is even with (as far North as) concrete pad. So we believe pad is near/at property line.



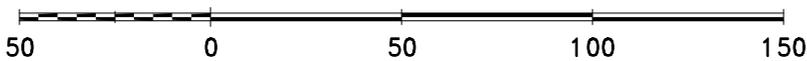
Existing concrete pad is 11.5' x 18'. placing new shed on the pad will put it 2.0' inside property line - if North edge of pad is at the property line.

Rabers sheds are built on 4" x 4" beams - placing one beam at edge of concrete pad will place shed up against existing fence.



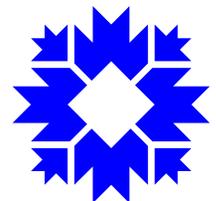
V-43-14 Cynthia Patton
 1014 S Lincoln St
 Hearing Officer
 1998 Aerial Photograph

By: greulice
 31 Dec 14



For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation



Scale: 1" = 50'

PETITIONER: First Financial Bank c/o Timothy Hoskins, Triangle Sign Co.
221 N. B Street
Hamilton, OH 45013

REQUEST: The petitioner is requesting variances from signage standards to allow a projecting sign outside of tenant space.

SUMMARY: The petitioner's request has been prompted by a permit to add two projecting signs for a commercial space in the newly constructed building at the southeast corner of N. College Avenue and W. 10th Street. The site is zoned Commercial Downtown (CD) and within the Downtown Core Overlay (DCO). Projecting signs are permitted in the CD District. The two projecting signs proposed by the petitioner meet all signage standards with the exception of placement. The Unified Development Ordinance (UDO) requires the location of projecting signs to be "located adjacent to the tenant's lease space."

The petitioner is seeking a variance to allow two projecting signs to be located above the tenant's space on the building. Typically, if a tenant's space is only on the first story of a building, a sign may be located such that the top of the sign is not higher than the bottom of the windows on the second story. In this case, the tenant space is limited to the first story. The second story is residential with windows starting at floor level. The proposed location of the signs encroaches into the second story space. Lowering the signs in order to meet the standard would place the signs within reach of some pedestrians and potentially increase the opportunities for sign vandalism.

The proposed sign on 10th is approximately 11 feet above grade. The proposed sign location for College is approximately 13 feet above grade. Lowering the signs to meet the standard would lower them to approximately 7.67 and 9.67 feet above grade, respectively. No other variances are being proposed.

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 this request. The proposed signs meet all other requirements. Lowering the signs would place them within reach of pedestrians, which could encroach on the pedestrian area and attract vandalism to the signs.

- 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 location of the signs will be higher than the tenant space, they will not exceed heights found on other buildings in the CD district.

- 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 the location of the second story windows. Because the second story windows begin at floor level, the first-floor tenant sign space is more limited as to where the signs can be placed than other buildings with similar uses in the downtown. The proposed signage does not appear to be out of scale with other downtown signs. The variance will simply allow the signs to be located slightly higher than the tenants first-floor location and keep them out of reach of pedestrians.

RECOMMENDATION: Based upon the written findings above, staff recommends approval of V-44-14 with the following condition.

1. The petitioner must receive a sign permit prior to installing any new signage.
2. The petitioner must receive an encroachment agreement from the Board of Public Works prior to receiving the sign permit.



trianglesigncompany.com
sales@trianglesigncompany.com

221 North "B" Street • Hamilton, OH 45013 • 513-863-8740 fax • 513-863-2578 tel

Dec 17, 2014

City of Bloomington Planning and Transportation Dept
PO Box 100
Bloomington IN 47402

Ref: First Financial Bank
Bloomington Banking Center
530 N. College Ave
Bloomington, IN 47404

To Whom It May Concern,

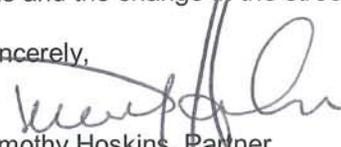
I am the sign contractor for First Financial Bank who will occupy the first floor tenant space at the newly constructed property at the corner of North 10th and College Ave. One element of my proposed signage package to the bank included the installation of two (2) 80" high x 36" wide blade signs to be installed within the tenant space frontage along the 10th street and College Ave elevations of the building. The signs are to be double faced fabricated aluminum with 2" deep reverse channel fabricated stainless letters reading "FIRST" "first financial bank". The letters are to be backlit (halo light) with white LED's.

When I made application for the sign permit, I was informed by staff that the top of the proposed blade sign cabinet projects above the bottom of the windows on the second story of the building and that a variance would be necessary to install the signs.

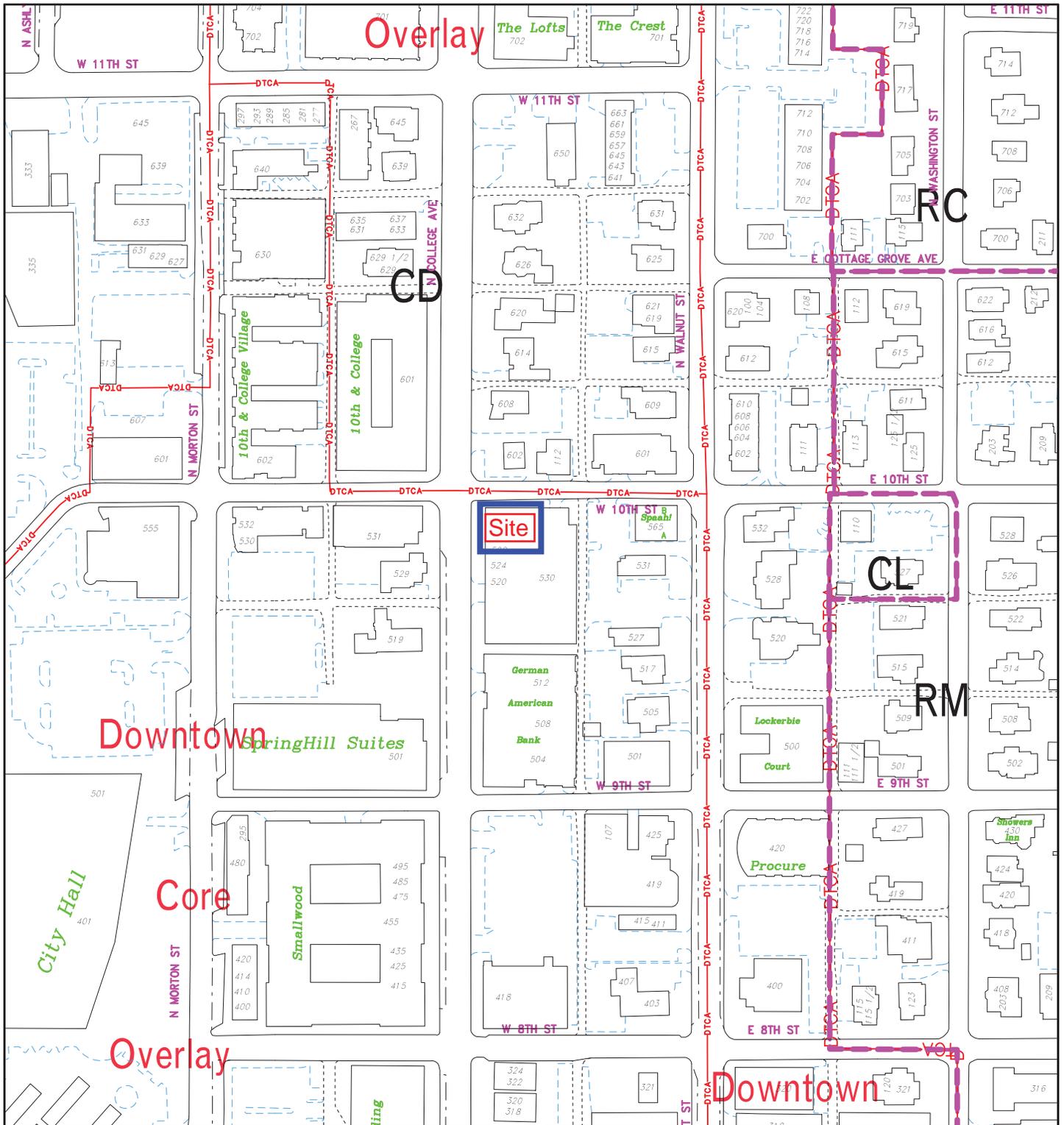
The placement of the blade signs was dictated, in large part, by the topography of the site due to the variation in the street elevation from the sign location on 10th compared to the sign location on College Ave, as well as, sight line issues caused by the projected canopy structures along College Ave. I feel that lowering the sign on from the proposed 11' above grade on the 10th street elevation would make it a target for vandalism since the walk transitions higher on the building heading up 10th Street. I could lower the blade sign on the College Ave elevation, due to the decrease in elevation from 10th St. along College Ave, but the top of the sign would still project above the first floor and lowering the sign on College and not on 10th would, in my opinion, not be the optimum result architecturally or esthetically for the building or the bank. Also, lowering on College would decrease the visibility of the sign because of the projected canopies.

I therefore respectfully ask to grant this request for a variance to allow the proposed blade signs be installed on the same elevations of the building, as shown in my drawing, due to the topography of the site and the change in the street elevations from 10th St to Collage Ave.

Sincerely,


Timothy Hoskins, Partner
Triangle Sign Company, PLL

Petitioner's statement
V-44-14



V-44-14

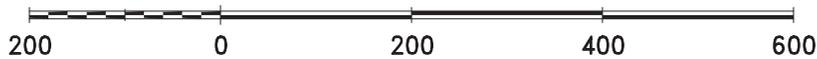
530 N. College Ave.

Location / Zoning / Land use map

Hearing officer

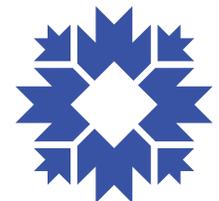
By: rosenbab

31 Dec 14



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 200'

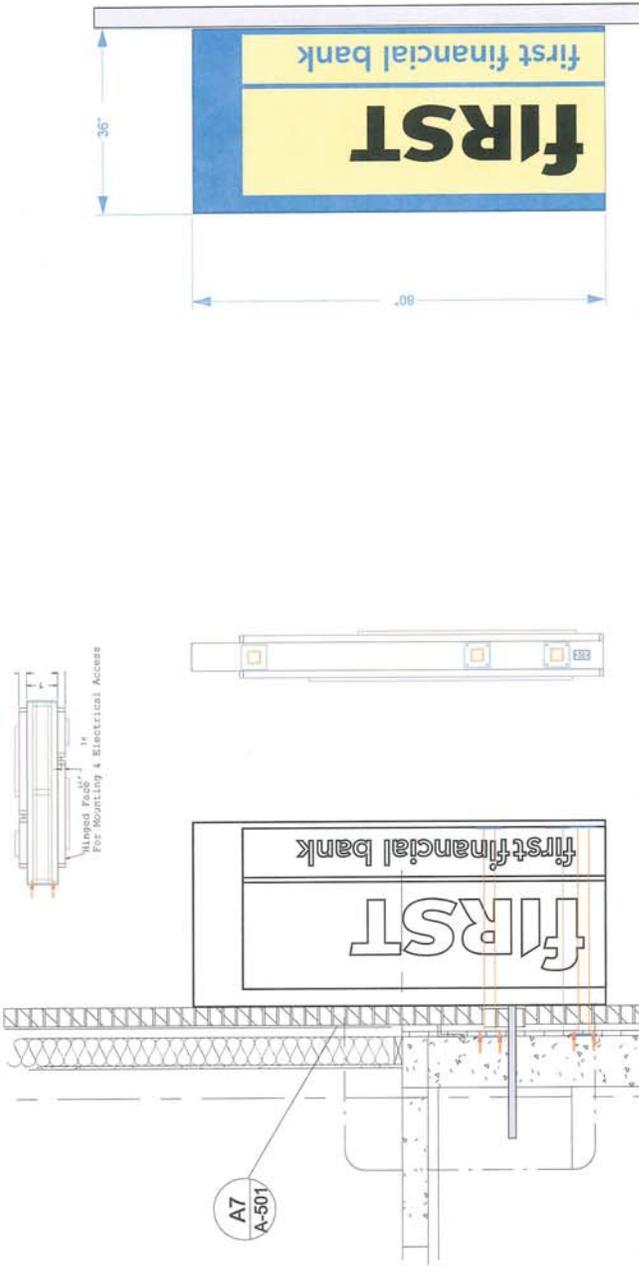
530 N. College Avenue

V-44-14



Aerial Image 2014

Blade Sign Option "B"



PROPOSED: (2) Two 80" X 36" X 9"- DOUBLE FACE FABRICATED ALUMINUM PROJECTED WALL MOUNT CABINET WITH WELDED ALUMINUM ANGLE CONSTRUCTION. FABRICATED ALUMINUM FACES AND CABINET CHROMATE PRIMED AND PAINTED TO MATCH PMS 285C BLUE ACRYLIC POLYURETHANE. CABINET TO HAVE 1-1/2" DEEP FABRICATED ALUMINUM PANS PAINTED TO MATCH PMS 1215C YELLOW ACRYLIC POLYURETHANE. THE PAINTED ALUMINUM PANS WILL HAVE 2" DEEP REVERSE CHANNEL FABRICATED STAINLESS STEEL LETTERS WITH CLEAR LEXAN BACKS AND BACKLIT WITH WHITE LED'S WITH 1" PROJECTION. LETTERS PAINTED GLOSS BLACK AND PMS 285 BLUE ACRYLIC POLYURETHANE. THE LETTERS ARE TO BE STUD MOUNTED TO THE 1/8" THICK ALUMINUM BACKGROUND WITH 1" PROJECTION. UL APPROVED.

This is an original, unpublished drawing submitted in connection with a project we are planning for you. It is not to be copied, reproduced, exhibited or shown to anyone outside your organization without the written permission of Triangle Sign Company.

JOBNO.	
DATE:	AUG 18, 2014
DWGNO.	14-0316
SHEET	1 OF 8

CUSTOMER APPROVAL
 First Financial Bank - Bloomington Banking Center

TH ACCOUNT REP
 Timothy Hoskins, Partner
 Triangle Sign Company, PLLC

TH DRAWN BY

DATE
 Bloomington Blade Signs
 with Backlit Fabricated Stainless
 Steel Letters. AUG 30 REVISION

REVISIONS

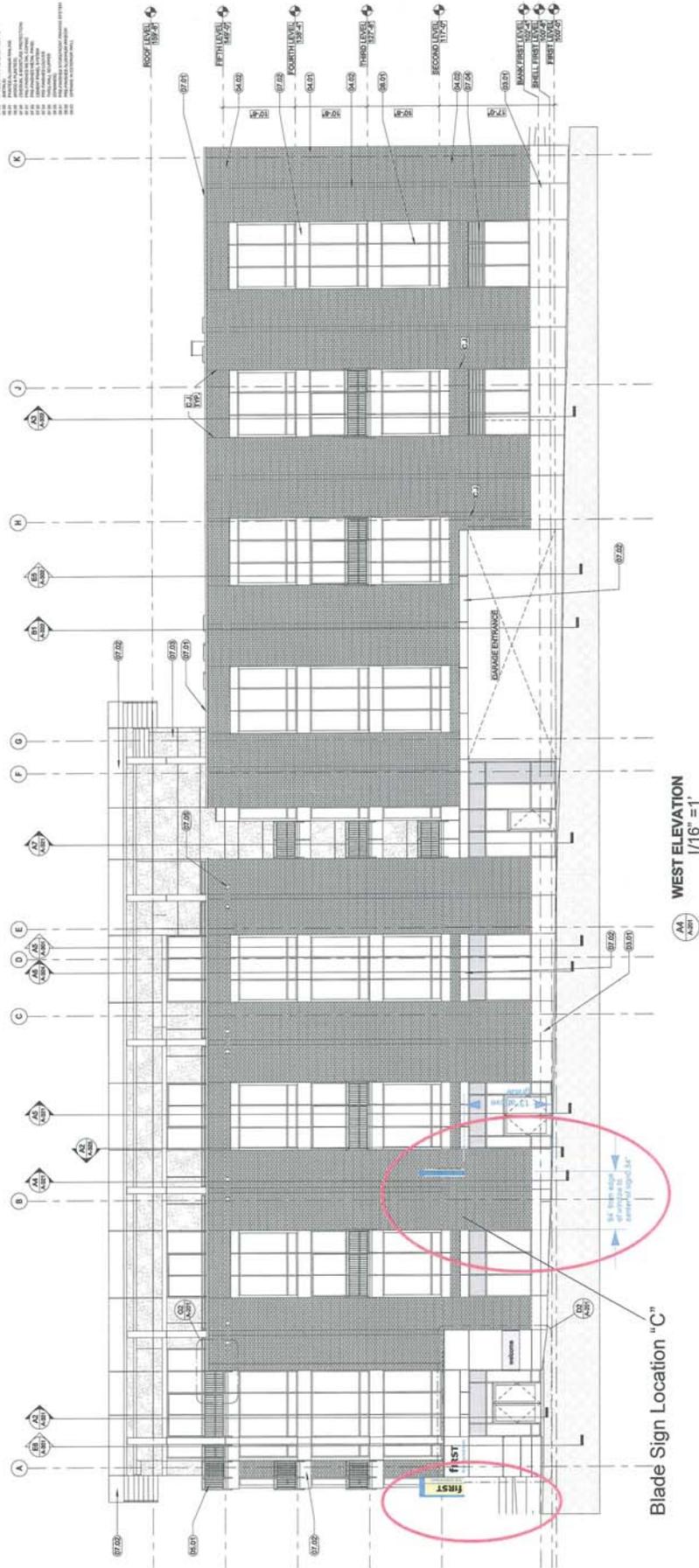
NOTES



221 NORTH "B" STREET HAMILTON, OHIO 45011
 PHONE: 513-863-2576 FAX: 513-863-6740

Scale: 1/2" = 1'-0"

- KEYNOTES - EXTERIOR ELEVATIONS**
- 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
 - 2. FINISH GRADE TO BE DETERMINED BY THE FIELD SURVEYOR.
 - 3. ALL FINISHES TO BE AS SHOWN ON THE FINISH SCHEDULE.
 - 4. ALL MATERIALS TO BE APPROVED BY THE ARCHITECT.
 - 5. ALL MATERIALS TO BE SUBMITTED FOR APPROVAL TO THE ARCHITECT.
 - 6. ALL MATERIALS TO BE SUBMITTED FOR APPROVAL TO THE ARCHITECT.
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 - 19. ALL MATERIALS TO BE SUBMITTED FOR APPROVAL TO THE ARCHITECT.
 - 20. ALL MATERIALS TO BE SUBMITTED FOR APPROVAL TO THE ARCHITECT.



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JOB NO.	
DATE:	AUG 18TH 2014
DWG NO.	14-0316
SHEET	5 OF 8

CUSTOMER APPROVAL
First Financial Bank - Bloomington Banking Center

DATE	REVISIONS	NOTES

TH
 Timothy Hoskins, Partner
 Triangle Sign Company, P.L.L.C.

AUG 18TH REVISION

REVISIONS

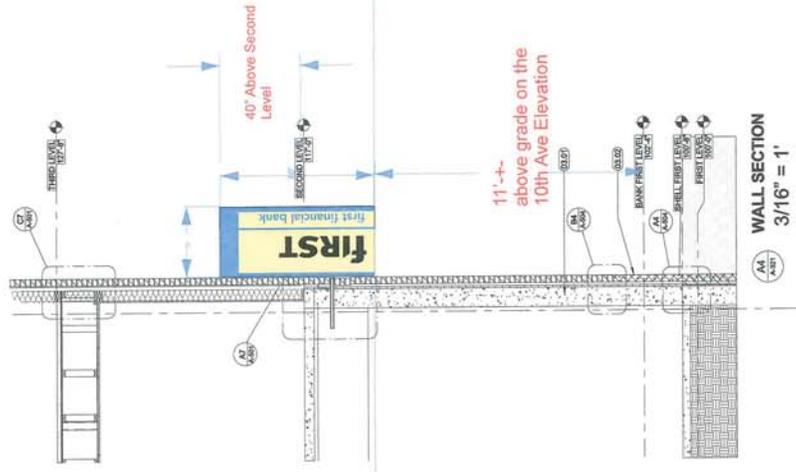
TH
 ACCOUNT REP

TH
 DRAWN BY

TRIANGLE SIGN CO.
 A SIGN OF QUALITY SINCE 1921
 221 NORTH "B" STREET HAMILTON, OHIO 45011
 PHONE 513-663-2578 FAX 513-663-8740

Scale: Noted

- KEYNOTES - SECTIONS**
- 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 - 2. ALL MATERIALS SHALL BE AS SHOWN OR APPROVED BY THE ENGINEER.
 - 3. ALL FINISHES SHALL BE AS SHOWN OR APPROVED BY THE ENGINEER.
 - 4. ALL ELEVATIONS ARE TO FINISH UNLESS NOTED OTHERWISE.
 - 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
 - 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA).
 - 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL MECHANICAL CODE (NMC) AND THE NATIONAL GAS CODE (NGC).
 - 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL PLUMBING AND HEATING CODE (NPHC) AND THE NATIONAL MECHANICAL AND PLUMBING CODE (NMPC).
 - 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL AND MECHANICAL CODE (NEMC) AND THE NATIONAL ELECTRICAL AND MECHANICAL CODE (NEMC).
 - 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL AND MECHANICAL CODE (NEMC) AND THE NATIONAL ELECTRICAL AND MECHANICAL CODE (NEMC).
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 - 20. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL AND MECHANICAL CODE (NEMC) AND THE NATIONAL ELECTRICAL AND MECHANICAL CODE (NEMC).



10th Ave Elevation

College Ave Elevation

This is an original, unpublished drawing submitted in connection with a project we are planning for you. It is not to be copied, reproduced, exhibited or shown to anyone outside your organization without the written permission of Triangle Sign Company.

JOBNO.	
DATE:	Dec5th 2014
DWGNO.	14-0316
SHEET	6 OF 8

CUSTOMER APPROVAL
First Financial Bank - Bloomington Banking Center

TH
 ACCOUNT REP

TH
 DRAWN BY

TH
 SCALE: 3/16" = 1'-0"

TRIANGLE SIGN CO.
 A SIGN OF QUALITY SINCE 1981
 221 NORTH W STREET - HAMILTON, OHIO 45011
 PHONE 513-863-2578 FAX 513-863-8740

NOTES

REVISIONS

TH
 ACCOUNT REP

TH
 DRAWN BY



10 NORTH MIXED USE

FIRST LEVEL
SCALE: 1/16" = 1'-0"

