

CITY OF BLOOMINGTON



JUNE 15, 2016 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
June 15, 2016 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

- V-19-16 **Alpha Gamma Delta Fraternity Housing Corp.**
1314 N. Jordan Ave.
Request: Variance from maximum parking standards.
Case Manager: Beth Rosenbarger

- V-22-16 **Jane St. John and Robert Woolford**
408 E. Wylie St.
Request: Variance from front yard setback standards to allow for a building
addition.
Case Manager: Jackie Scanlan

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
LOCATION: 1314 N. Jordan Ave.**

**CASE #: V-19-16
DATE: June 15, 2016**

**PETITIONER: Alpha Gamma Delta Fraternity
8710 N. Meridian Street, Indianapolis**

**COUNSEL: Mark Krittenbrink Architecture
301 W. Boyd, Suite 200, Norman, OK**

REQUEST: The petitioner is requesting a variance from maximum parking requirements to allow 53 parking spaces for a sorority.

STAFF REPORT: This approximately 1.14 acre property is located on the east side of N. Jordan Avenue, just south of 17th Street and is zoned Institutional (IN). Surrounding land uses to the south and west are fraternities/sororities and the properties to the east and north are owned by Indiana University. The property has been developed with a 3-story sorority house for the Alpha Gamma Delta sorority.

The sorority is currently designing an expansion to the front of the chapter house. This expansion will include new bedrooms, improved bathrooms, and improvements to a leaky roof. Currently, there is space for 93 women in the sleeping dorm, and that number will increase slightly. Existing on the property are 55 parking spaces. The plan will remove two of the parking spaces for a total of 53 parking spaces for nearly 100 occupants.

With the proposed expansion, the petitioner is required to bring the site into compliance with many parts of the UDO including landscaping, bike racks, and maximum parking. The UDO bases parking for fraternities and sororities on the number of bedrooms, not the number of occupants. The maximum parking is 0.8 spaces per bedroom. This is less than that applied to apartments (1:1). In many Greek houses (including this one), rooms are often occupied by 2-4 people and often a cold dorm sleeping room is utilized where large numbers of occupants sleep. While the petitioner estimates occupancy of 100 members, there will only be 9 bedrooms. Since the UDO bases the maximum number of parking spaces on the number of bedrooms, a maximum of 7 parking spaces would be allowed for the 100 members that would be living here.

The petitioners are requesting a variance from maximum parking requirements to allow 53 parking spaces.

The Bloomington Historic Preservation Commission reviewed the addition and released the project from Demolition Delay (Demo Delay 16-10) at its hearing on March 24, 2016.

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. Similar variances have been approved for other fraternities and sororities in this area with no known negative impacts. The property will still meet all other UDO standards including maximum impervious surface coverage requirements.

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 by the parking variance.

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: Staff finds peculiar conditions for the parking variance in the nature of the living and sleeping arrangements of this sorority. While other fraternities and sororities may have one member per bedroom, this sorority has been designed to house two or more members per room and to utilize a cold dorm where more than 50 members sleep. Practical difficulty is found in that if the parking variance is not approved, the petitioner would not be allowed to provide parking to meet the needs of the members and could require many drivers to find parking elsewhere.

RECOMMENDATION: Based on the written findings, staff recommends approval of the variance with the following condition:

1. Site must be brought up to compliance with other provisions of the UDO, including but not limited to landscaping, bike parking and lighting, per UDO 20.08.060.



V-19-16
Petitioner's
Statement

May 16, 2016

City of Bloomington
Planning and Transportation Department
401 N. Morton Street
Bloomington, IN 47404

Re: Maximum Parking Variance Request Statement
Alpha Gamma Delta Fraternity
1314 N. Jordan Ave.
Bloomington, IN

The Beta Delta Chapter of Alpha Gamma Delta Sorority, located at 1314 N. Jordan Ave, is working to enlarge and update their existing sorority house. The reasons for this move are multiple, and include updating and expanding the structure, increasing bed count, becoming code compliant.

Existing conditions

The existing building, built in 1961, has some problems inherent with the design. The flat roofs at 1st, 2nd, and 3rd floors leak. The concrete sun screens that wrap the building hold water against the building and create ice dams that leak throughout the winter.

The architectural style of the building sets it apart from all other Greek houses on campus and serves as a detriment during recruitment.

Finally, certain mechanical systems – HVAC, plumbing – function like the 70 year old system they are and require replacement. This, along with the need for a larger bed count, necessitates a small addition to the front of the building.

This project involves the following modification/addition to the building.

Proposed

The majority of the building is a large rectangular, two (2) story, building with a partial 3rd floor. Our design maintains this physical size and shape, but adds a hip roof to cover the 3rd Floor. In addition, a two (2) story addition will be added at the SW corner of the building.

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Pedestrian orientation remains the same, and parking is impacted by the loss of two (2) spaces.

Currently, the building has multiple exterior veneer applications, and with the removal of the sun screens, we will be looking at yet another. Our goal then will be to apply a new veneer – brick and stone – to the entire facade to unify its appearance.

In response to Development Standards Variance Criteria [BMC 20.09.1.30 €].

- (1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

This project will create valid ADA compliance at both site and building, increase energy efficiency, and create new architecture more in complimentary of the surrounding Greek community. Therefore it will not be injurious to the public health, safety, morals, and general welfare of the community.

- (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.*

The Alpha Gamma Delta house is located in the middle of Indiana University's Greek community, and its location is a prominent one. The proposed project not only complies, but enhances the use and value of the adjacent land.

- (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.*

This is a curious question.

Currently, (93) women sleep in one 3rd floor bedroom. Plus, the house director has a bedroom. So (2) bedrooms total. This allows us (1.6) parking spaces.

Plans call for the addition of (7) bedrooms – (4) at 1st floor, (3) at 2nd floor. So (9) bedrooms total.

My understanding is that this should allow us (7.2) parking spaces, which rounds to (7) parking spaces.

We currently have (55) spaces, and are losing (2) in this project, so a new total of (53) existing spaces.

I don't believe we are compromising any standards of the Unified Development Ordinance.

If you have any questions, please contact me.

Thank you,

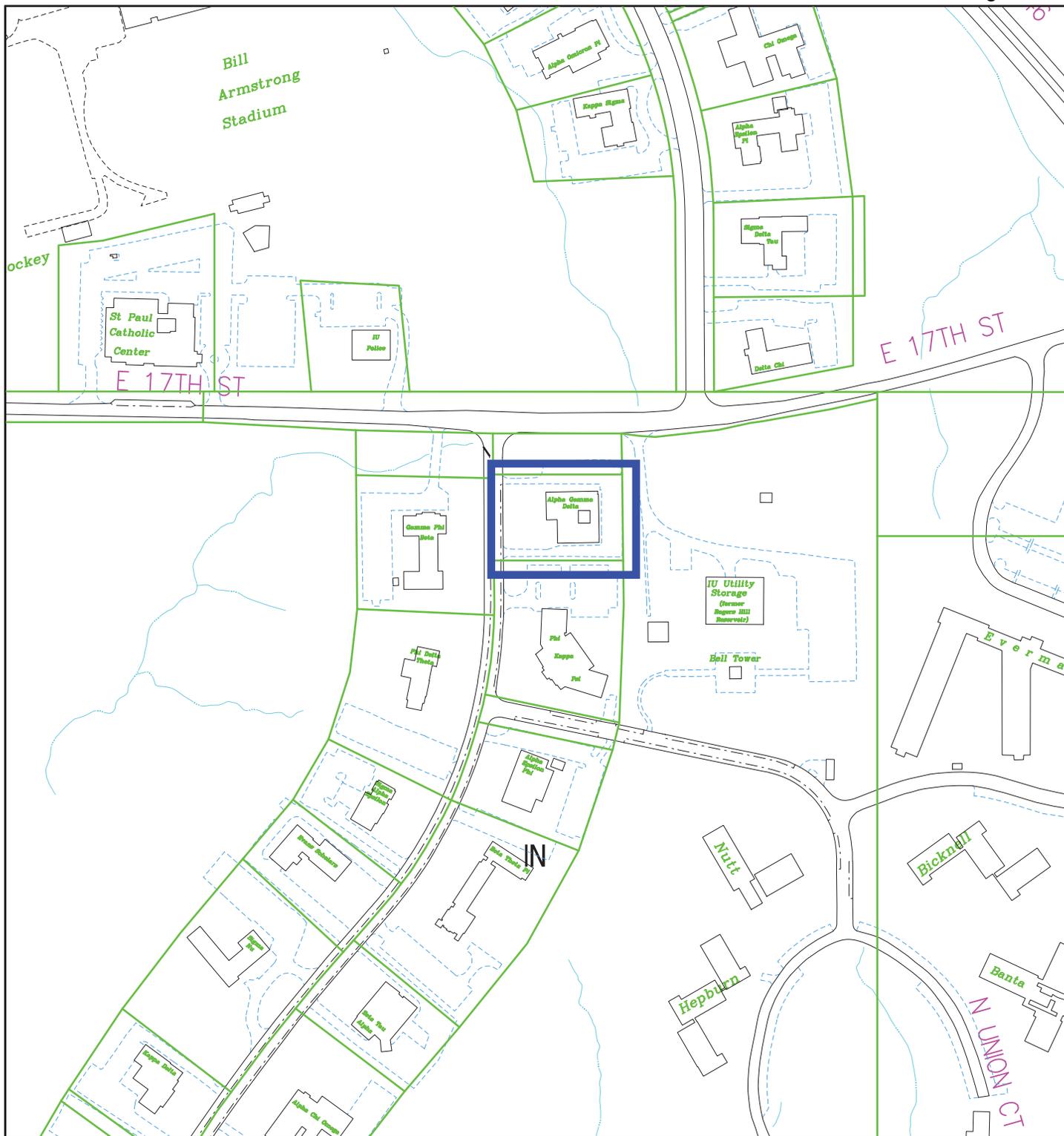


V-19-16
Petitioner's
Statement

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Mark Krittenbrink

V-19-16
Petitioner's
Statement



V-19-16
 1314 N. Jordan Ave.

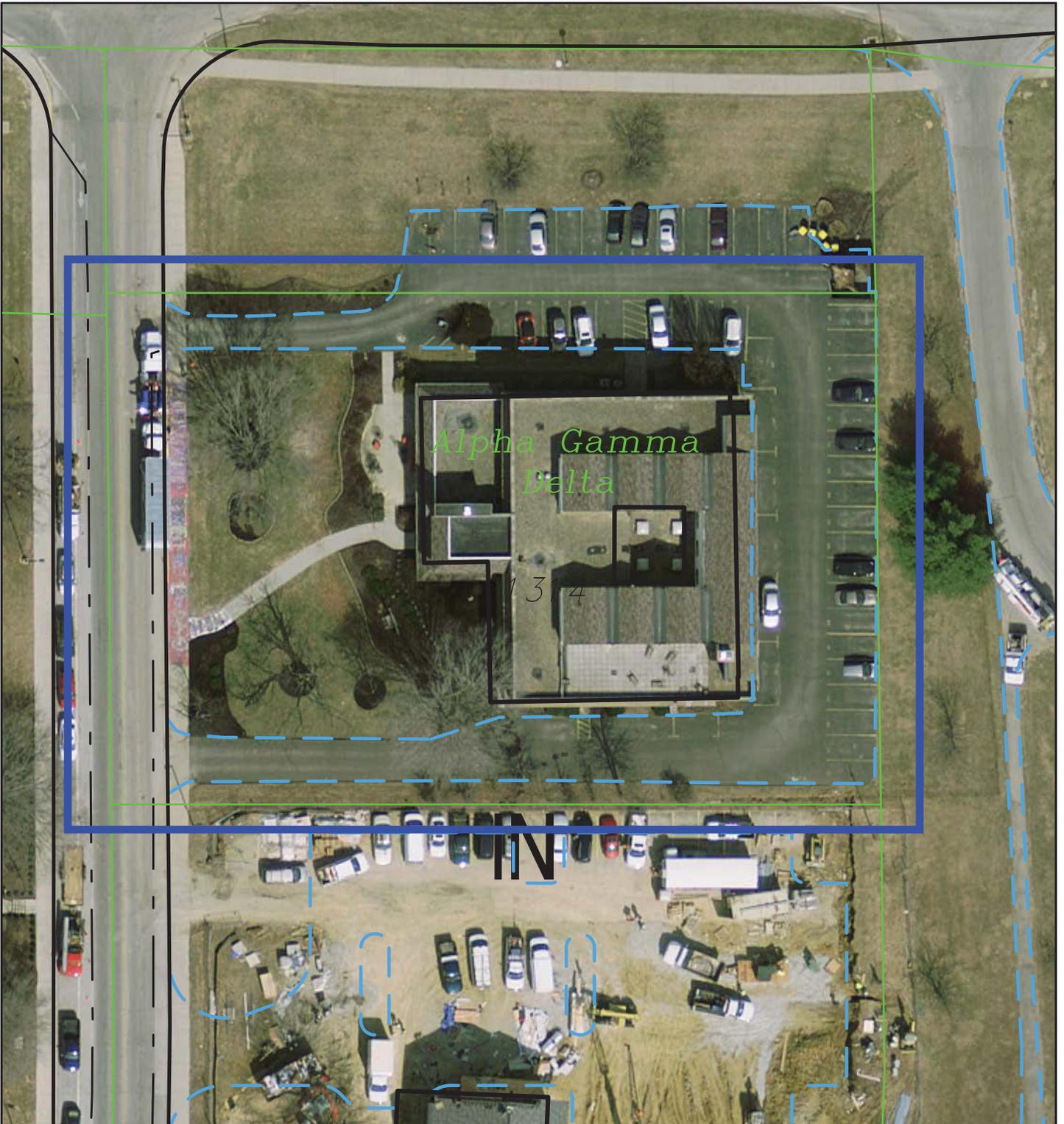
By: rosenbab
 7 Jun 16



City of Bloomington
 Planning & Transportation

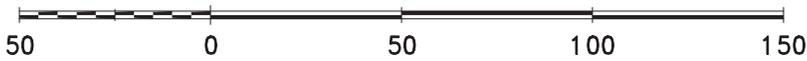
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Scale: 1" = 300'



V-19-16
 1314 N. Jordan Ave.

By: rosenbab
 7 Jun 16



For reference only; map information NOT warranted.



City of Bloomington
 Planning & Transportation



Scale: 1" = 50'



Alpha Gamma Delta - University of Indiana
Bloomington, Indiana



V-19-16
West Elevation

BLOOMINGTON HEARING OFFICER
LOCATION: 408 E. Wylie Street

CASE #: V-22-16
DATE: June 15, 2016

PETITIONER: Jane St. John and Robert Woolford
408 E. Wylie Street, Bloomington

REQUEST: The petitioners are requesting a front yard building setback variance to allow a porch addition to a single family house.

REPORT: The petitioners own a single-family detached dwelling on the south side of Wylie Street between Grant and Dunn Streets. The site is zoned Residential Core (RC). The petitioner is seeking to construct a roof above an existing porch and entrance on the east side of the house.

The existing home, built in the 1950s, is approximately 12 feet from the eastern property line at its closest point. Immediately to the east of the property is a 35 foot platted right-of-way that was never developed into roadway. As a result of being adjacent to right-of-way, a front yard setback is required. The main entrance to the home faces this right-of-way and is accessed by stairs and a walkway that run from the driveway along the eastern side of the house. The entrance is not visible from Wylie because a portion of the house projects out in front of it. The petitioner requests to build a roof over the existing porch adjacent to the main entrance, which would create an open porch, allow for cover from the elements, and would better establish the entrance area of the house.

The area adjacent to the eastern property line is platted right-of-way, requiring a 15 foot RC front yard setback. At the location of the proposed addition, the existing building is roughly 16 feet from the property line. As a result, only a one-foot roof could be added to the house. The petitioners request to build a 12 foot by 15 foot roofed open porch. This would be an 11 foot encroachment into the 15 foot required setback. The right-of-way is not shown as a Proposed Neighborhood Connection in the Thoroughfare Plan and is unlikely to be developed as a roadway by the city of Bloomington. As a result, properties immediately adjacent to the right-of-way function more as side yards, than front yards. The RC side yard setback requirement is 6 feet. The proposed porch would be 4 feet from the eastern property line.

The petitioners appeared at the May 24, 2016 Bryan Park Neighborhood Association meeting to describe the project. There was no opposition voiced at the meeting and the attendees agreed to informally support the project.

Approval of the variance would allow for a 180 square foot open porch addition on the eastern side of the existing house. The open porch would be roughly 4 feet from the eastern property line, adjacent to a 35 foot undeveloped right-of-way.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

Front Yard Setback

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 proposed addition is immediately adjacent to undeveloped right-of-way. The property will remain as a single family house.

- 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. The setback encroachment is not immediately adjacent to another residential property. The property will remain as one detached single-family dwelling.

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

STAFF FINDING: Staff finds practical difficulty in not allowing the proposed addition. Staff finds peculiar condition with the immediately adjacent 35 foot undeveloped right-of-way. There are no plans to develop this right-of-way, making a front yard setback unnecessary. Practical difficulty is found in that the 15 foot front yard setback standard is established to create block uniformity and comfort in the pedestrian realm on roadways, but there is no roadway and no planned roadway in the right-of-way immediately adjacent to the proposed addition. Therefore, holding the addition to the front yard setback standard does not meet the intended purpose of the UDO regulation, as there is no block face or pedestrian realm in this right-of-way.

RECOMMENDATION: Based upon the written findings above, staff recommends approval of V-22-16 with the following conditions:

1. The petitioners must obtain a building permit prior to construction.
2. This variance applies to the addition of a 12 by 15 open porch, as described in the petitioners' site plan. Any subsequent encroachment would require a variance.

Petitioner's Statement for 408 East Wylie Street

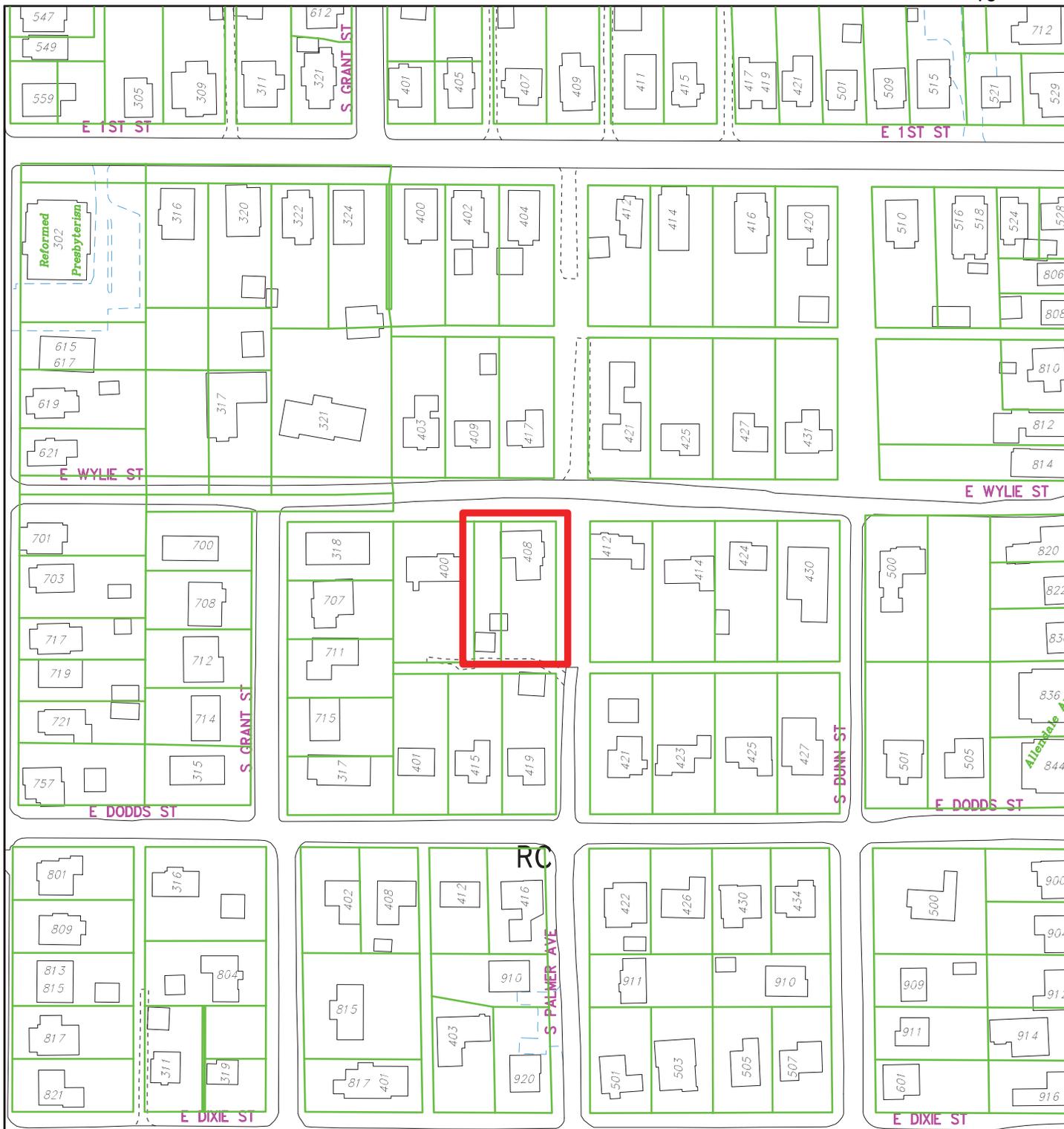
We are requesting a variance for a new covered porch. There are two aspects of this project that make this a unique situation. First our house's front entrance is on the east side and tucked behind the eastern most wall. This position obscures it from view if you are standing on the street. Second, what most would consider to be our side yard has a front setback because it is adjacent to a public right of way.

Our goal in this project is to make a new covered porch that would make it clear to people from the curb that the east entrance is the main entrance. However the east side of our property has a front setback because of the public right of way. This means we cannot build out closer to that "street". Since it is doubtful that the city will ever build a street through that public right of way, we are asking for a variance so that it is treated as a side set back as opposed to a front setback. Our plans abide by the side set back requirements.

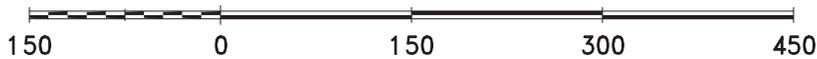
The porch will in no way be intrusive or detrimental. If this plan gets approved it will not be injurious to public health or the safety, morals and general welfare of the community. In fact the porch will not come out any farther than our garden or the trees and bushes in our east yard. Instead it will improve the aesthetic of not only our house but the street as well, improving the value and enjoyment of adjacent properties. It will also encourage a place where we can sit on our front porch and engage in pleasantries with passersby while defining the entrance of our home to everyone from the curb.

V-22-16

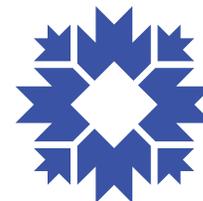
Petitioners' Statement



By: scanlanj
8 Jun 16



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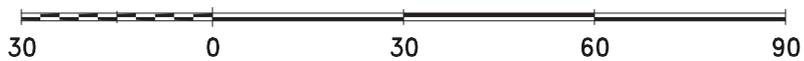


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For reference only; map information NOT warranted.



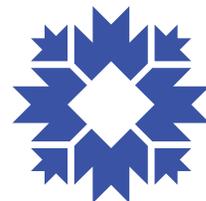
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City of Bloomington
Planning & Transportation



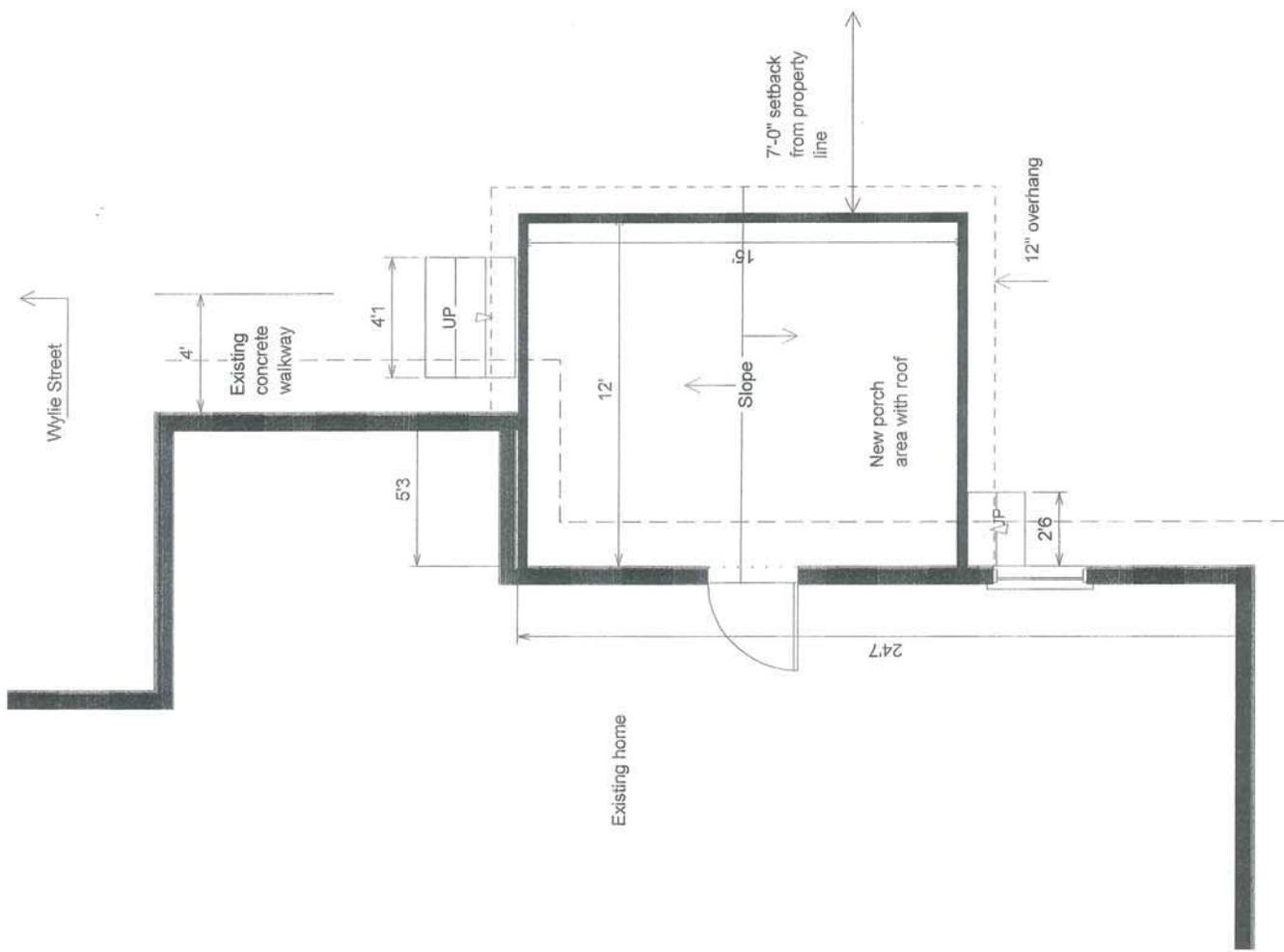
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	NOTES: 1. DO NOT SCALE THIS DRAWING. 2. FOR DESIGN CONCEPT ONLY	LEGEND:		ST. JOHN- WOOLFORD PORCH ADDITION	PROJECT NO: 156-2012 DWG DATE 11/5/2012 DRAWN BY: B. GAVIN	SCALE: 1" = 30'-0"	SITE PLAN
					PROJECT NO: 156-2012 DWG DATE 11/5/2012 DRAWN BY: B. GAVIN	SCALE: 1" = 30'-0"	SITE PLAN

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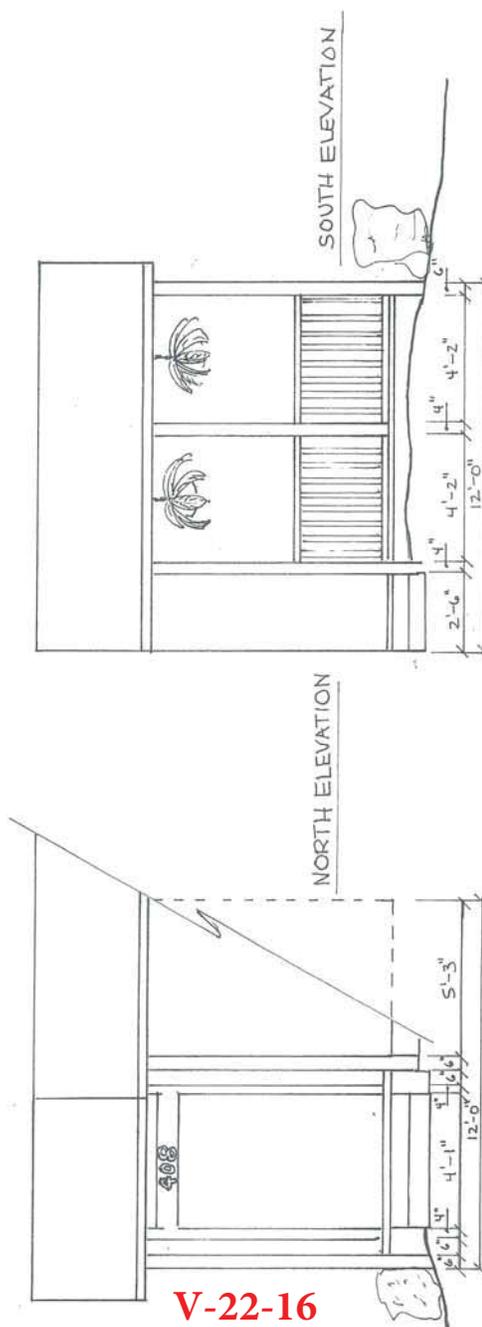
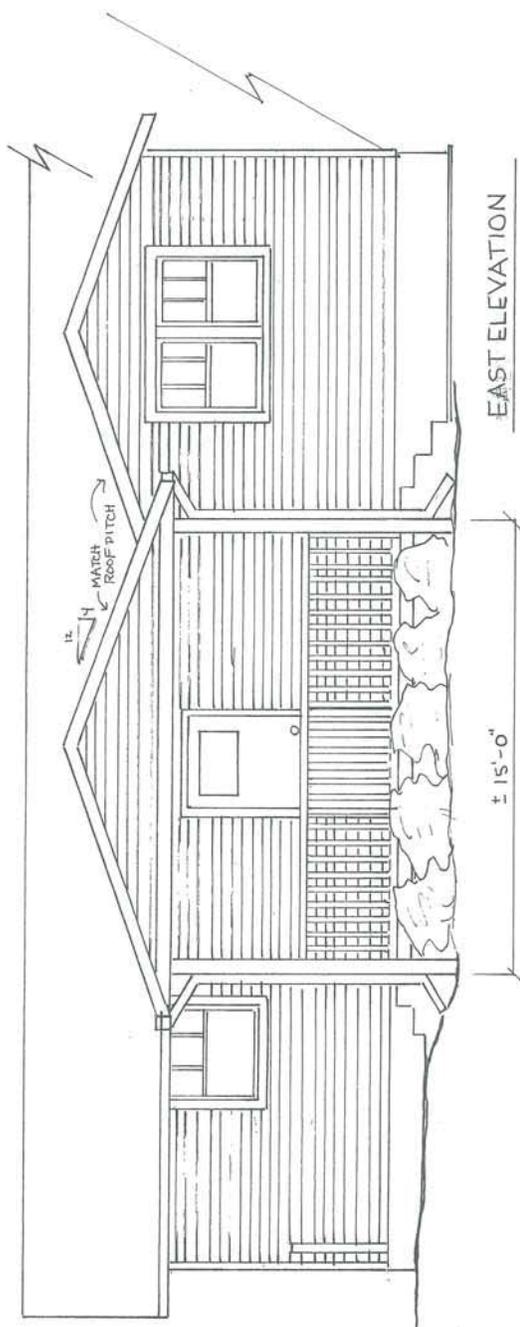
V-22-16
 Petitioners' Site Plan



	<p>NOTES:</p> <ol style="list-style-type: none"> DO NOT SCALE THIS DRAWING. FOR DESIGN CONCEPT ONLY 	<p>LEGEND:</p>		<p>ST. JOHN-WOOLFORD PORCH ADDITION</p>	PROJECT NO: 156-2012
					DWG DATE 11/5/2012
					DRAWN BY: B. GAVIN
					SCALE: 1/4" = 1'-0"
					PLAN VIEW

V-22-16
Petitioners' Site Plan

	<p>NOTES:</p> <ol style="list-style-type: none"> DO NOT SCALE THIS DRAWING. FOR DESIGN CONCEPT ONLY 	<p>LEGEND:</p>		<p>ST. JOHN- WOOLFORD PORCH ADDITION</p>	PROJECT NO: 156-2012
					DWG DATE 11/5/2012
					DRAWN BY: B. GAVIN
					SCALE: 1/4" = 1'-0"
					ELEVATIONS





Site Picture
Facing Southwest