

CITY OF BLOOMINGTON



**October 20, 2011 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL**

ROLL CALL

MINUTES TO BE APPROVED: August 25, 2011

PETITIONS CONTINUED TO: November 17, 2011

- CU-43-11 **Ann Kreilkamp**
134 N. Overhill Dr.
Request: Conditional use to allow the garden @ 2601 E. Dekist and a house @ 134 N. Overhill Dr. to be used as a community center.
Case Manager: Tom Micuda
 - V-17-11 **Debby Herbenick**
528 S. Highland Ave.
Request: Variance from maximum fence height standards.
Case Manager: Jim Roach
-

PETITIONS:

- UV/V-34-11 **Housing Options II**
1825 S. Highland Ave.
Request: Use variance to allow a multifamily use in a single-family zoning district. Also requested are variances from rear building setback, maximum impervious surface coverage, maximum number of primary structures and steep slope standards to allow construction of two duplexes and a group home.
Case Manager: Patrick Shay
- UV/V-40-11 **AT&T**
1302 E. 3rd St.
Request: Use variance to allow a communication facility in a Commercial Limited (CL) zoning district. Also requested are variances from buffering and screening requirements.
Case Manager: Jim Roach
- UV/V-41-11 **CJ Satellite, LLC**
1218 N. College Ave.
Request: Use variance to allow a 1st floor residential unit within a Commercial General (CG) zoning district. Also requested is a variance from maximum density requirements.
Case Manager: Katie Bannon

- V-42-11 **Albert and Rebecca Jacquay**
1014 E. Southdowns Dr.
Request: Variances from maximum impervious surface coverage standards and front yard setback standards for a front patio addition.
Case Manager: Jim Roach

**BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1825 S. Highland Avenue**

**CASE #: UV/V-34-11
DATE: October 20, 2011**

PETITIONER: Options for Better Living (Housing Options II)
200 E. Winslow Drive, Bloomington

REQUEST: The petitioner is requesting use variance approval to allow multi-family use within an RS zoning district. Also requested is a package of variances maximum number of primary structures, steep slope requirements, rear building setbacks and maximum impervious surface coverage standards.

Zoning:	RS
GPP Designation:	Urban Residential
Existing Land Use:	Vacant
Proposed Land Use:	Group Home & Multi-family
Surrounding Uses:	North - Institutional
	South - Institutional
	East - Multi-family
	West - Single family

SUMMARY: The petitioner owns a property located on the east side of S. Highland Avenue, midblock between E. Miller Drive and E. Short Street. The 0.6 acre site is zoned Residential Single Family (RS) and is surrounded by Institutional uses to the north and south, a multi-family development owned by the petitioner to the east, and single family homes to the west. The property is currently vacant and is sloped from the east to west draining toward Highland Ave.

The petitioner is proposing to develop this site with three new structures, two duplex units and one group home. Within the RS zoning district, group homes are a permitted use while multifamily structures are not an allowed use. The petitioner is requesting a use variance to allow the duplexes to be constructed. They are requesting a package of variances from the Board of Zoning Appeals as well.

Options for Better Living (Options) is a non-profit organization that assists in affordable housing and employment opportunities for persons with disabilities. They currently operate 12 units (6 duplexes) immediately to the east of the subject property. Staff has provided pictures of their existing development in your packet. They are seeking this approval to effectively expand the existing development utilizing shared access and a similar design for the duplexes.

The proposal would create a building forward design and would have individual pedestrian connections to Highland Ave. The access and parking for the property would be located to the rear and would share a drive with the petitioners' adjacent development connecting to S. Covey Lane. A large stand of existing trees would also be preserved along the southern portion of the property.

20.09.140 CRITERIA AND FINDINGS FOR USE VARIANCE: Findings of Fact:

Pursuant to IC 36-7-4-918.4, the Board of Zoning Appeals or the Hearing Officer may grant a variance from use if, after a public hearing, it makes findings of fact in writing, that:

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

Staff Finding: Staff finds no injury with allowing the two duplex units to be constructed. This property, although zoned single family, has many non-single family uses including institutional and multi-family in the immediately surrounding area.

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

Staff Finding: Staff finds no negative impacts from the proposed use. As previously stated, there is a mix of uses in the area. Furthermore, this property is not located within an established neighborhood and is essentially an expansion of the neighboring property to the east.

- (3) *The need for the use variance arises from some condition peculiar to the subject property itself; and*

Staff Finding: Staff finds peculiar condition the combination of several factors such as; consistency with the use to the east, a community need for additional affordable and inclusive housing, lack of a dominant single family pattern in the immediate area, and a high level of public services available to the property.

- (4) *The strict application of the terms of the Unified Development Ordinance will constitute an unnecessary hardship if they are applied to the subject property; and*

Staff Finding: Staff finds hardship in not permitting the proposed use. A denial of this petition would limit the ability of the petitioners to provide a community benefit in the form of affordable and inclusive housing. Locations for such uses are difficult to identify and such uses should be encouraged when properties are identified that allow for such uses without negative impacts to a surrounding area. The petitioners have demonstrated the ability to provide and manage similar facilities in Bloomington and in particular, the adjacent property.

- (5) *The approval of the use variance does not interfere substantially with the goals and objectives of the Growth Policies Plan.*

Staff Finding: The Growth Policies Plan (GPP) designation for this area is Urban Residential. This designation is generally characterized by existing residential areas with densities ranging from 2 – 15 units per acre and having good access to roads, public utilities and other public services. Guidance to growth in these areas is to

- *“encourage higher densities, ensure street connectivity, and protect existing residential fabric”.*

Single family is the primary land use in these areas with other land uses such as religious institutions, schools, and multi-family also being present. More specifically, the GPP calls for new development in these areas to

- *“Develop sites for predominantly residential uses; however, incorporate mixed residential densities, housing types, and nonresidential services where supported by adjacent land use patterns”.*

The Plan Commission found that the existing land use pattern fully supports the proposed use. The property is surrounded by other multi-family, two schools, a church, and larger lot single family. Therefore, the Plan Commission found that this petition does not substantially interfere with the goals and objectives of the GPP.

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 petition. This redevelopment proposal will not create safety risks and will only improve the surrounding area.

- 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 surrounding area. None of the proposed variances will create any negative impacts to the adjacent use or value.

- 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 (Rear Building Setback): Staff finds peculiar condition in that the 25 foot rear setback is the single family standard. The multi-family rear setback is 15 feet. The petitioners are seeking a variance to allow a setback of 17.62 feet. This variance is further mitigated by the fact that the petitioners also

own the property adjacent to this setback. Staff finds practical difficulty in requiring the additional setback from their own property.

STAFF FINDING (Maximum Number of Primary Structures): Staff finds peculiar condition and hardship in that this requirement is directly related to development of lots with single family homes. This requirement did not anticipate the proposed use. If the use variance is found to be appropriate, should also be found to be appropriate.

STAFF FINDING (Impervious Surface Coverage): Staff finds practical difficulty in requiring a reduction in the proposed site plan from 42% to 40% impervious surface coverage. This site is under an acre and does not require stormwater quality improvements. The petitioners have proposed to install raingardens that will serve a water quality function above code standards. This will mitigate the slight reduction of impervious surface coverage and will provide more environmental benefits.

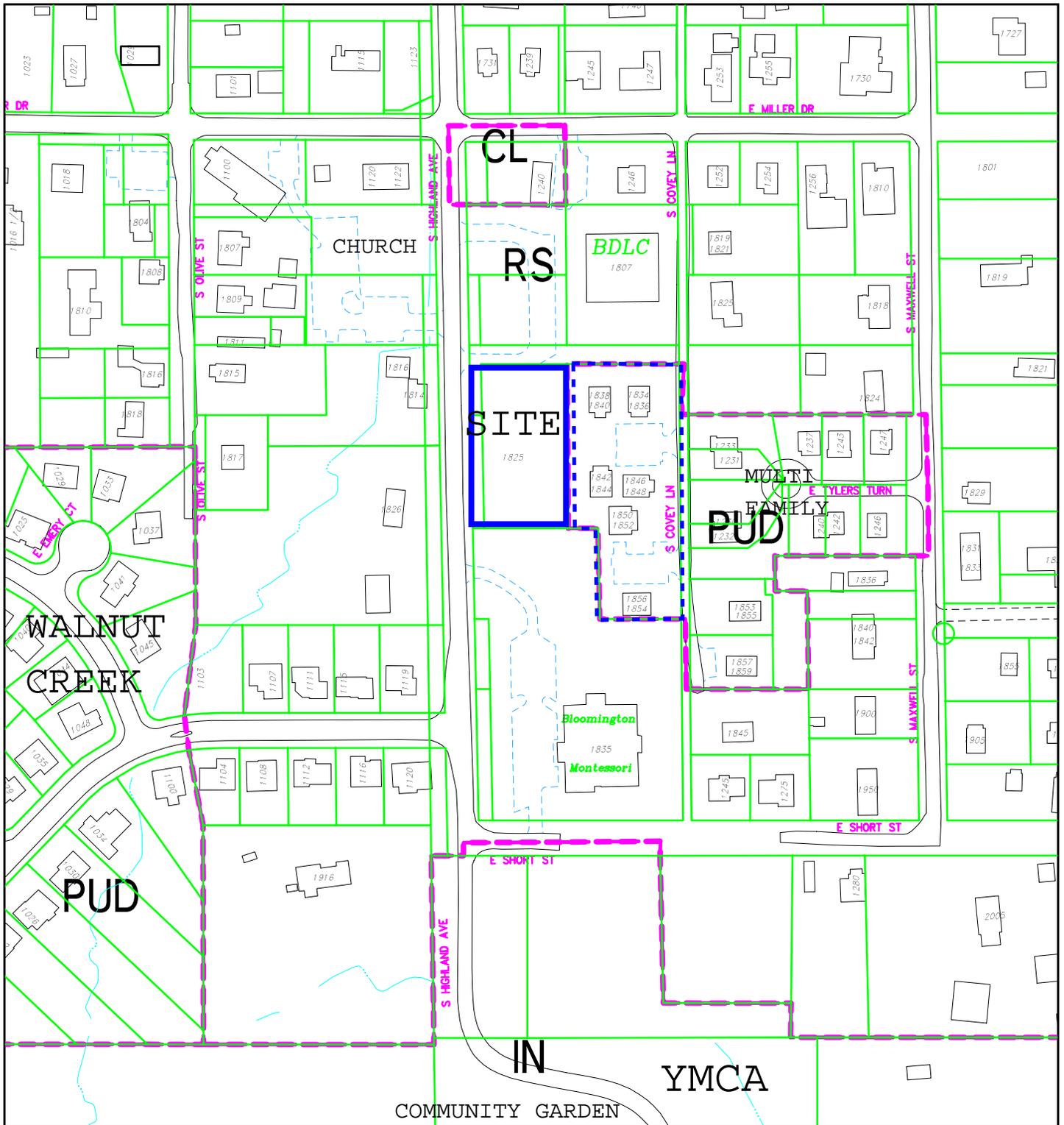
STAFF FINDING (Steep Slopes): Staff finds practical difficulty and peculiar condition in requiring the preservation of 50% of a small area of 12-18% slopes. The northeastern portion of the property has a small area of 12-18% slopes. The slope preservation regulations are mostly to reduce impact to heavily sloped areas and reduce the opportunity for heavy erosion. This area is very small and will largely be removed, therefore removing erosion opportunities.

PLAN COMMISSION RECOMMENDATION: The Plan Commission voted unanimously to forward the use variance request to the BZA with a positive recommendation. They concluded that the proposed use did not substantially interfere with the Growth Policies Plan.

CONCLUSION: Staff finds the provision of additional affordable and inclusive housing options for persons with disabilities to be desirable. Furthermore, staff finds that the proposed location is compatible with the surrounding development. It will serve as an expansion of the existing development to the east. Although it is zoned RS, it is not embedded into a heavily single family area. The property has a range of land uses in the immediate area including additional multi-family. Staff finds that this project does not substantially interfere with the GPP. Furthermore, staff finds that if the use variance is found to be appropriate, that the variances are also appropriate and will positively contribute toward many of the City's goals, such as affordable and inclusive housing options.

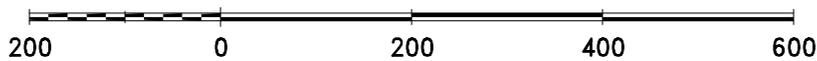
RECOMMENDATION: Staff recommends approval of UV/V-34-11 with the following conditions:

1. A grading permit is required prior to any land disturbing activities.
2. Tree protection fencing located at the grading limits must be installed and inspected prior to any land disturbing activities and must remain in place throughout construction.

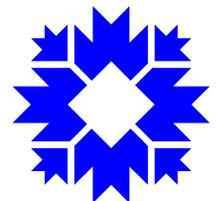


UV/V-34-11 OPTIONS FOR BETTER LIVING
 1825 S. HIGHLAND
 LAND USE/ZONING MAP
 BOARD OF ZONING APPEALS

By: shapp
 19 Sep 11



City of Bloomington
 Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.

August 16, 2011

Patrick Shay
City of Bloomington, Planning Department
401 N. Morton St., Suite 160
PO Box 100
Bloomington, IN 47402-0100

Re: Housing Options II
Petitioner's Statement
BRG Project No. 6865

Dear Patrick,

On behalf of Options for Better Living, we are requesting approval from the Board of Zoning Appeals for a use variance as well as a package of incidental variances necessary to utilize the site effectively for the intended use. Proposed is a three building expansion of the existing Options development, which is located in the Miller Driver Neighborhood along S. Covey Lane. We would like to be placed on the September 12, 2011, Plan Commission meeting agenda and subsequently on the Board of Zoning Appeals agenda for the meeting of September 22, 2011.

The subject property is approximately 0.6 acres. The proposed development is accessed from Covey Lane, through the existing Options development (zoned PUD). Units fronting on Highland Ave. are provided with sidewalk access and architectural features that give the appearance of front entries. The new facility will contain a Supportive Living Unit in one building and four 2-bedroom units housed in two buildings. Adjoining property use consists of existing Options development to the east, Montessori School to the south, BDLC to the north and residential homes to the west across Highland Avenue.

The requested variances, listed below, are needed to adapt the Options multi-family use to the RS zone.

1. Use variance to allow multifamily use within RS district
2. Rear building setback
3. Impervious Surface Coverage (currently at approximately 42%).
4. Maximum number of primary structures (This is an RS standard that had single family in mind)
5. Steep Slopes. There is an area of 12-18% slopes that by UDO only 50% can be disturbed.

The subject plans have been submitted to CBU for review. We are providing stormwater detention per their direction. Stormwater quality will be provided through a series shallow bio-filtration basins, though this is not required since the disturbance is less than 1 acre in size. This additional measure compensates for the impervious surface increase. Furthermore, the site plan has been discussed with Fire Inspection Officer Tim Clapp who has verbally approved the site plan for fire vehicle access.

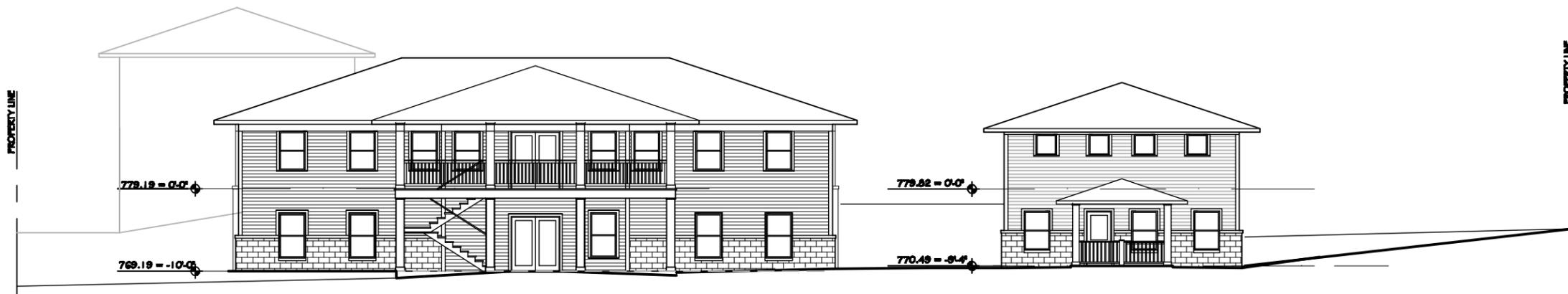
Included with this petitioners statement is the application form, site, grading and drainage, utility and landscape plans as well as a conceptual elevation of the buildings from Highland Avenue. Also included is tabulation information regarding the landscape plan requirements..

Please contact me if you have any questions.

Sincerely,

Dan Neubecker, Project Manager

xc: Susan Rinne, Options
File – Project No. 6865



SUPPORTIVE LIVING UNIT - WEST ELEVATION

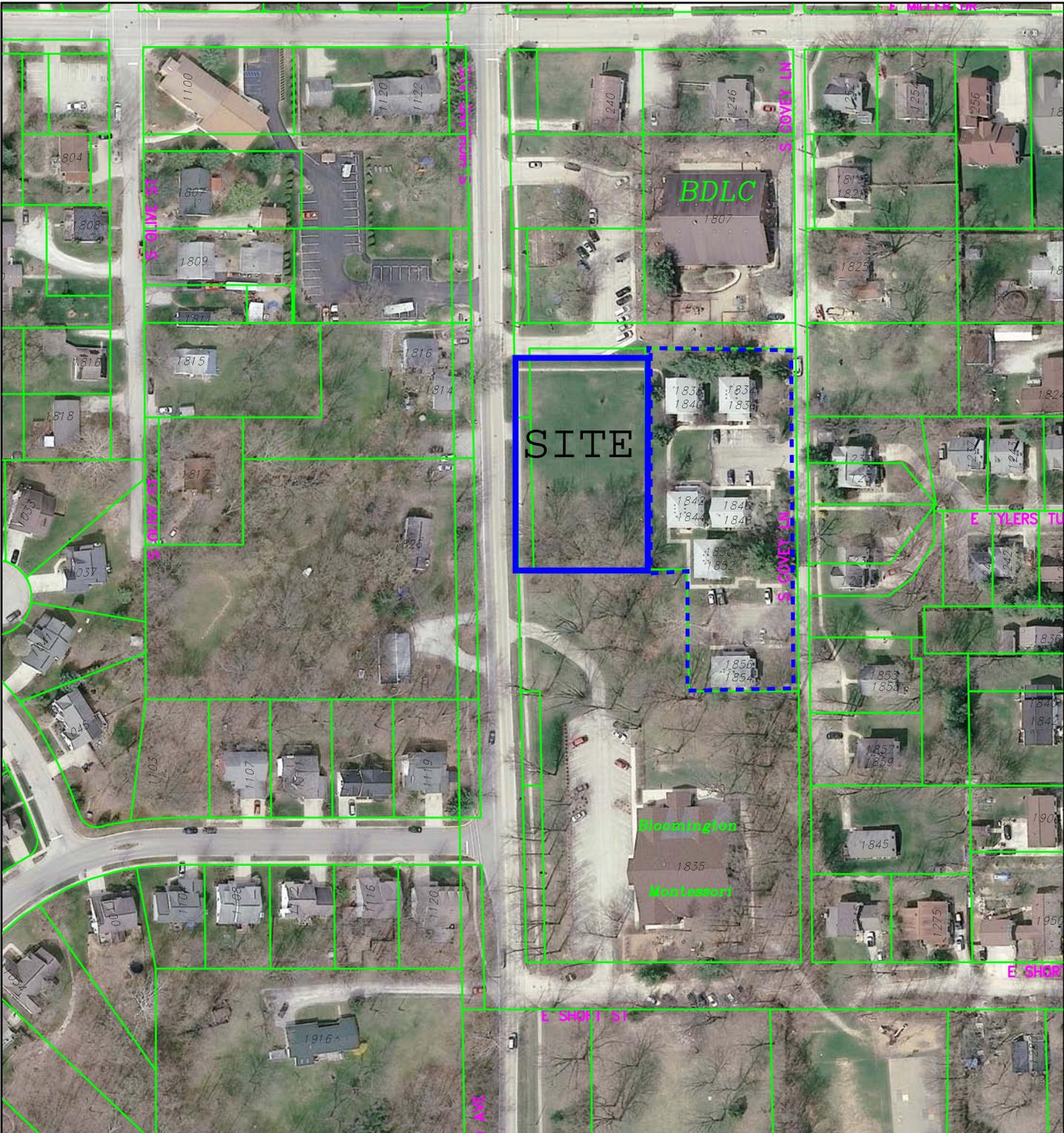
DUPLEX - WEST ELEVATION

UV/V-34-11

OPTIONS II
BUILDING ELEVATIONS

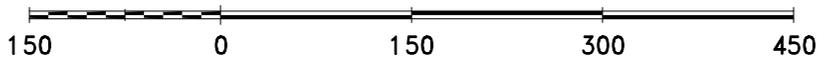
SCALE: 1/16" = 1'-0"

9.26.11

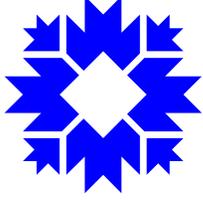


UVV-34-11 OPTIONS FOR BETTER LIVING
AERIAL PHOTO

By: shapp
8 Sep 11



City of Bloomington
Planning



Scale: 1" = 150'

For reference only; map information NOT warranted.

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1302 E. 3rd Street

CASE #: UV/V-40-11
DATE: October 20, 2011

PETITIONER: AT&T (Jeff Kellerman)
900 E. 96th St. Indianapolis, IN 46240

CONSULTANT: Allen Hughes
3115 Albright Ct. Indianapolis, IN 46268

REQUEST: The petitioner is requesting use variance approval to allow an array of cellular antennas on top of an existing commercial building zoned Commercial Limited (CL). Also requested is a variance from screening requirements.

SUMMARY: The property is located at the southeast corner of E. 3rd Street and S. Highland Ave. and is zoned Commercial Limited (CL). The property has been developed with a 2-story book and apparel store and associated parking lot. Surrounding uses include Indiana University to the north, a fraternity to the west, a church to the south and a dry cleaner to the east.

The petitioner proposes to place two 10-foot tall antenna arrays on the roof of the 2-story warehouse portion of the building. In the rear of the building, they propose to construct a raised platform on the rear of the property to house their equipment that is usually located on the ground. Due to lack of space on the property, this platform will be located above two existing parking spaces and will be screened with opaque fencing. The petitioner will also be bringing the property up to UDO standards by installing bike racks and constructing and repairing sidewalk around the building.

The UDO does not distinguish between the location of freestanding cellular towers and cellular antenna arrays attached to a building. Communication Facilities are not a permitted use in the CL district. The petitioner is requesting a Use Variance to allow this use on the subject property.

Screening Variance: The UDO requires that communication facilities construct an 8-foot wall fence or wall to surround the entire communication facility. This requirement was written with ground installed facilities and cell towers in mind and not rooftop facilities. A variance has been requested from the communication facility screening requirement to address the previously mentioned raised platform for the typically ground mounted equipment. The petitioner has designed a screen wall to meet the intent of mechanical screen requirement. After analysis of the proposed renderings, staff finds that the screen wall will have a larger visual impact than the communication facility. In addition, representatives from Indiana University, the adjacent property owner to the north, have also requested the deletion of the screen wall.

PLAN COMMISSION RECOMMENDATION: The Plan Commission reviewed the plan and the use variance request at their October 10, 2011 meeting. The Plan

Commission unanimously voted to forward the use variance request to the BZA with a positive recommendation.

20.09.140 CRITERIA AND FINDINGS FOR USE VARIANCE:

Findings of Fact: Pursuant to IC 36-7-4-918.4. the Board of Zoning Appeals or the Hearing Officer may grant a variance from use if, after a public hearing, it makes findings of fact in writing, that:

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

Staff Finding: Staff finds no injury with the communication facility use.

(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; and

Staff Finding: Staff finds no substantial adverse impacts to the adjacent area from this request. Cellular towers are partially regulated due to their aesthetic impacts to the community. With this request, the arrays will not be attached to a tower and be located in such a way to minimize visual impacts. The most closely impacted neighbor, Indiana University, has stated that they have no opposition to the petition.

(3) The need for the variance arises from some condition peculiar to the property involved; and

Staff Finding: Staff finds peculiar condition in that this property is one of the only properties in the area that is immediately adjacent to Indiana University, is 2-stories in height, is zoned for commercial uses and is privately owned. This places the property in a unique position to provide a location for cellular antennae arrays to provide a needed increase in capacity to the large concentration of IU students and employees.

(4) The strict application of the terms of the Unified Development Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and

Staff Finding: Staff finds the strict application of the UDO will constitute an unnecessary hardship because the inability to locate any kind of communication facility, cell towers or attached arrays, within .81 miles of this property, except for the Institutionally zoned land owned by Indiana University. The UDO does not distinguish between zoning districts where cellular towers are permitted and zoning districts where cellular antenna arrays attached to or within a building are permitted. The impacts of stand alone cellular towers are different and more substantial than antennas attached to an existing building. Furthermore, the property in question allows for significant setbacks to nearby residential uses.

(5) *The approval does not interfere substantially with the Growth Policies Plan.*

Staff Finding: The GPP designates this property as “Neighborhood Activity Center”. The main focus of these areas is “commercial uses at a scale that serves the immediate neighborhood...” The Plan Commission found that the proposed use will not substantially interfere with the goals of the GPP as the cellular antenna array will be either completely screened or at a scale and height that will have little impact to the surrounding area. The Plan Commission also found that while this petition may not further some of the goals of the GPP, it did not substantially interfere with the GPP.

CRITERIA AND FINDINGS: All other variances

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 with the petition.

(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 does not anticipate any substantially adverse impacts of the proposed variances. The location of the antennas on the roof will limit their visual impact. In addition, the ground mounted mechanicals will be screened from adjacent properties through use of chain link fence with slats.

(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.*

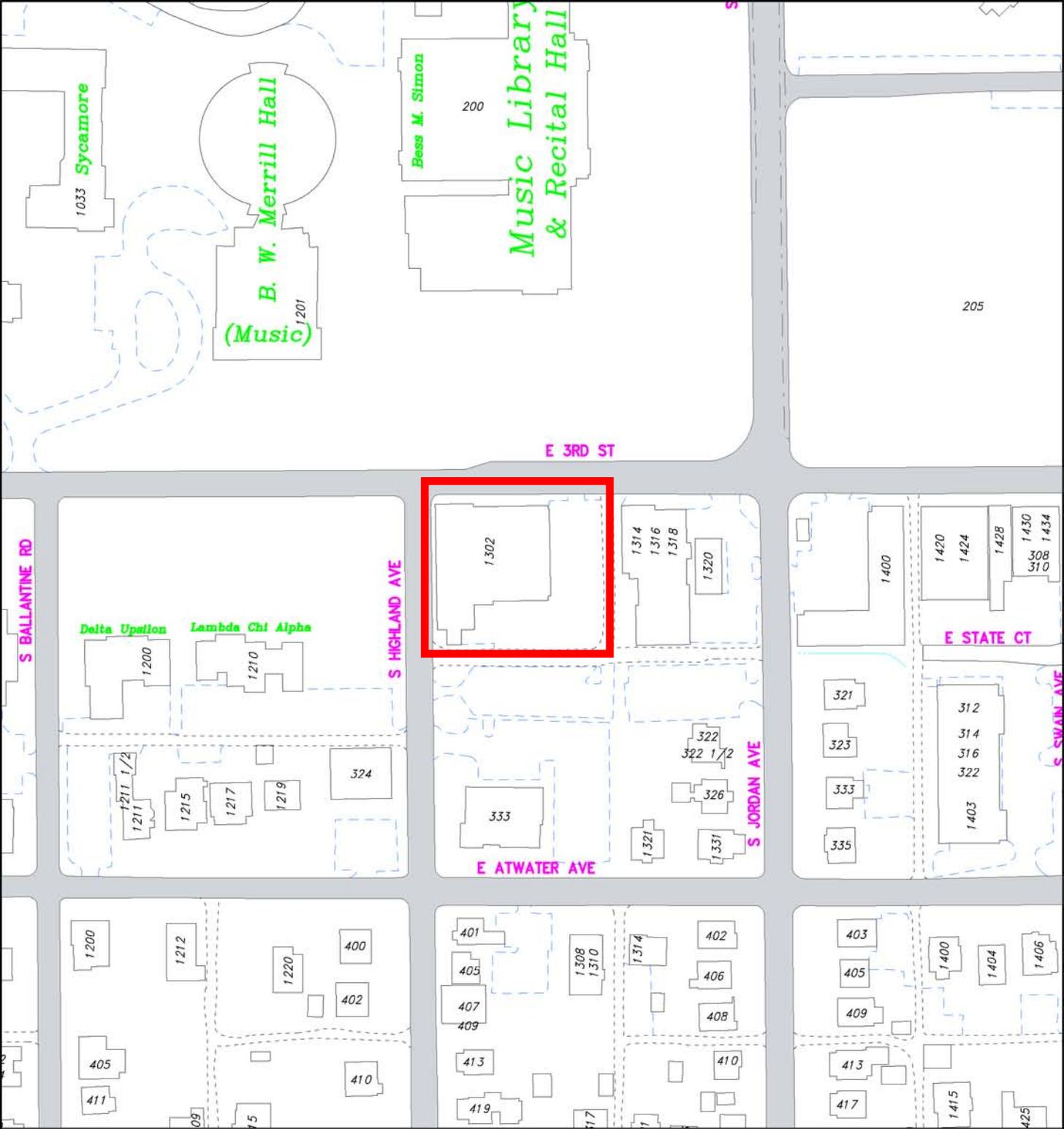
Staff’s Finding: Peculiar condition is found in the existing built out nature of the property and the location of the antennas on the roof. The UDO requirements were written anticipating ground mounted mechanical equipment and cell towers. The petitioner proposed mechanical equipment on top of a raised metal platform above the parking lot. This arrangement does not lend itself to the construction of a wooden or stone/brick screen wall. The proposed chain link fence with slats will provide the needed screening of the equipment. The location of the antennas on the roof, setback from the edge of the building will provide adequate screening of the arrays. Practical difficulty is found in the difficulty of building a stone or wooden fence around the entire building or the raised equipment platform. The originally

proposed screen wall would screen the antennas but would have created an even greater visual impact to surrounding properties.

CONCLUSION: Staff finds that this is a good solution to increase cellular capacity near Indiana University, where there is a high density of high demand users. Cellular towers are regulated due to their aesthetic impacts to the community. With this request, the arrays will have little visual impact.

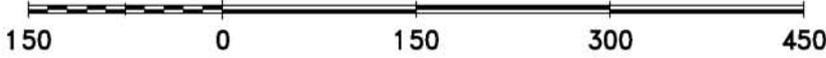
RECOMMENDTION: Staff recommends approval of UV/V-40-11 with the following conditions:

1. No screen wall shall be constructed on the roof of the building.
2. Sidewalk and bike rack improvements shall be complete prior to final occupancy.



UVV-40-11
Location Map

By: roachja
16 Sep 11



City of Bloomington
Planning



14
Scale: 1" = 150'

For reference only; map information NOT warranted.

**PETITION FROM AT&T TO PLACE A STEALTH CELLULAR TELEPHONE SYSTEM ON
THE ROOF OF THE T.I.S. COLLEGE BOOKSTORE, 1302 EAST 3RD STREET,
BLOOMINGTON, IN
September 13, 2011**

Ladies and Gentlemen,

AT&T Mobility along with the property owners and tenants of the T.I.S. College Bookstore is proposing to develop a stealth wireless rooftop cellular site on the property at 1302 East 3rd Street. This is considered a capacity site since there is such a mass or captive user base of wireless electronics on and around the Indiana University campus. This particular location is consistently busy with foot and automobile traffic. This site addition will also give those who live in the neighborhood better and more reliable service.

The petitioner is asking for a variance in use to allow antennas and equipment for the purposes of sending and receiving cellular radio signal. Communication towers and equipment are not permitted uses in the CL zoning district. The antenna system will be located within a four wall structure built on top of the highest portion of the roof not to exceed ten (10) feet in height. The wall will be manufactured of material that will permit the transference of radio signal. The wall will be painted to match the rest of the building. The antenna system will not be able to be seen from the ground from any adjoining public right-of-way.

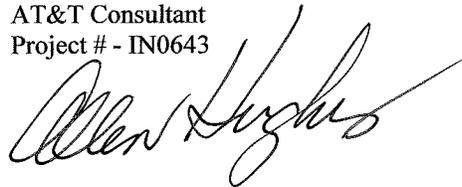
We would like to ask for a variance from the cellular equipment landscaping because it would be impossible to meet the standard with an elevated platform. Also the code specifies a wood or brick screen fence/wall and we feel this is not practical. Chain link fence slating to match the building color should work well. The equipment to operate a cellular site while not large is quite heavy. Rather than chance loading the roof with this weight and possibly having to penetrate the membrane roof the building owners, tenants and engineers came up with a different solution. We knew we could not take any of the existing parking spaces from the bookstore so we determined to build a steel platform over the top of two existing parking spaces and next to the loading dock at the rear of the building. This platform will house our equipment very nicely and retain the parking spaces. The platform will be fenced with chain link fence and slating to match the building will used in the fence to hide the equipment from public view. We will use material on the floor of the platform that will protect the vehicles parked beneath.

Inasmuch as we are requesting a 'change in use' of the original structure we are aware that we need to bring some items up to current code. As a condition of approval AT&T will per the City of Bloomington's direction add and/or repair sidewalks, curbs and handicapped ramps where required. Additionally AT&T will install four (4) new bicycle racks in front of the store.

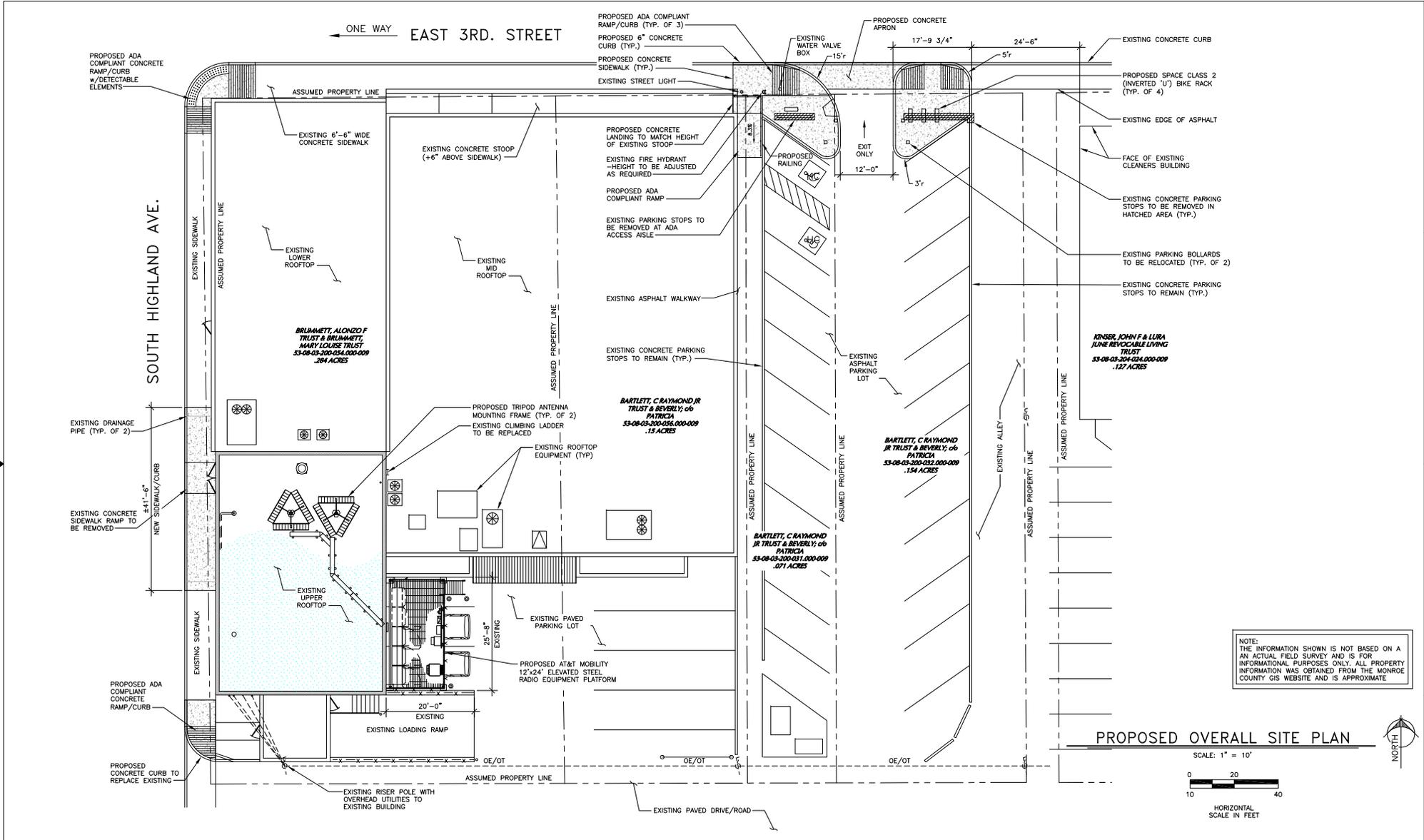
You should be able to get a very good idea of the project through the viewing of the building elevations and the many photo simulations.

Please find along with this petition a completed application, notarized copies of the affidavits from the property owners giving AT&T the right to petition, building elevations and drawings, photo simulations and an engineer's statement concerning the design and wind load.

Allen E. Hughes
AT&T Consultant
Project # - IN0643



UVV-40-11
Petitioner's Statement



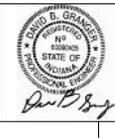
GPD GROUP.
 8275 Allison Pointe Trl., Suite 220 317-299-2996
 Indianapolis, IN 46250 Fax 317-293-1331

GoodmanNetworks
 Network Knowledge. Delivered.

SITE NAME: 3RD & JORDAN
SITE NUMBER: IN0643
 1302 EAST 3RD STREET
 BLOOMINGTON, IN 47401
 MONROE COUNTY

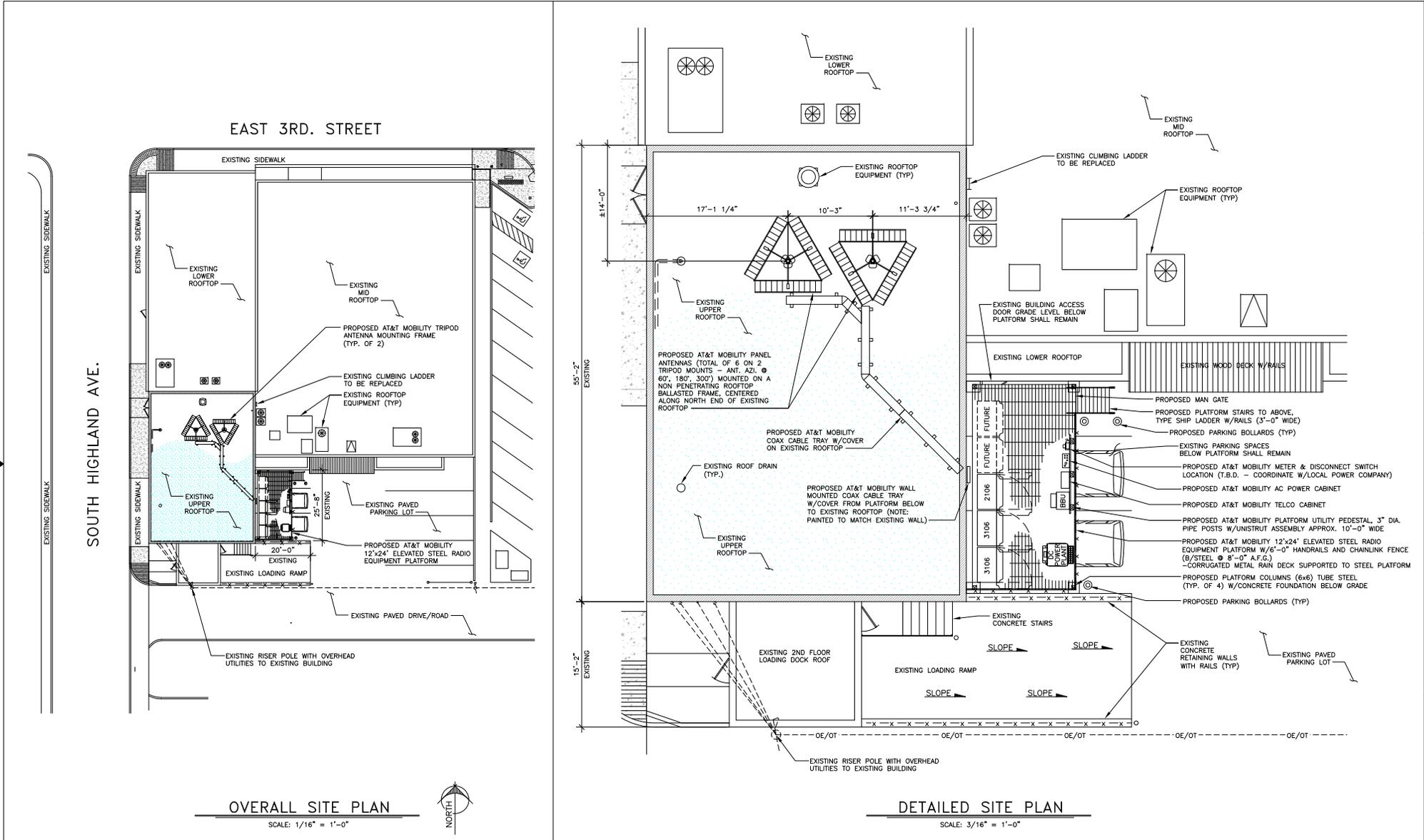
at&t
 900 EAST 96TH. STREET
 SUITE 500
 INDIANAPOLIS, INDIANA 46240

B	09/26/11	ALTERNATE ANTENNA MOUNTING	SEK	LIB	TTP
A	06/06/11	ISSUED FOR ZONING REVIEW	LIB	MRL	TTP
NO.	DATE	REVISIONS	BY	CHK	APP
SCALE:	AS SHOWN	DESIGNED BY: BB/LIB	DRAWN BY: LIB		



AT&T MOBILITY	
PROPOSED OVERALL SITE PLAN	
DRAWING NUMBER	REV
IN0643-ZD3-OVERALL SITE PLAN	B

UVV-40-11
Site Plan



GPD GROUP.
8275 Allison Pointe Trl., Suite 220
Indianapolis, IN 46250
317-299-2996
317-293-1331
Fax 317-293-1331

GoodmanNetworks
Network Knowledge. Delivered.

SITE NAME: 3RD & JORDAN
SITE NUMBER: IN0643
1302 EAST 3RD STREET
BLOOMINGTON, IN 47401
MONROE COUNTY

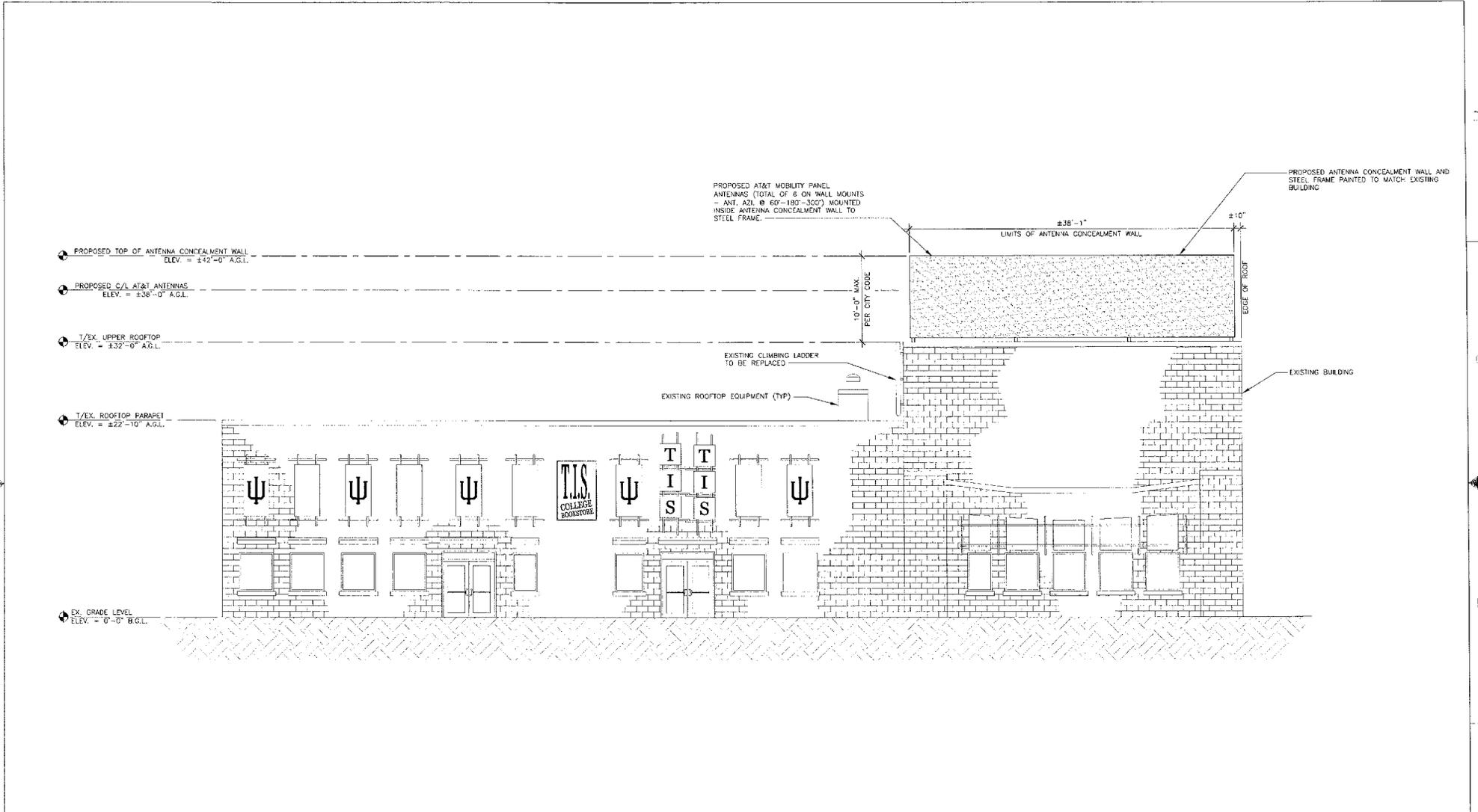
at&t
900 EAST 96TH. STREET
SUITE 500
INDIANAPOLIS, INDIANA 46240

NO.	DATE	REVISIONS	BY	CHK	APP'G
B	09/26/11	ALTERNATE ANTENNA MOUNTING	SEK	LIB	TTP
A	06/06/11	ISSUED FOR ZONING REVIEW	LIB	MRL	TTP
SCALE: AS SHOWN			DESIGNED BY: BB/LIB	DRAWN BY: LIB	

AT&T MOBILITY
PROPOSED DETAILED SITE PLAN

DRAWING NUMBER: IN0643-ZD4-DETAILED SITE PLAN
REV: B

UVV-40-11
Site Plan



PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

GPD GROUP.
8275 Allison Points Trl., Suite 220 317-299-2996
Indianapolis, IN 46250 Fax 317-293-1331
GPD JOB# 2011042.14

Goodman Networks
Network Knowledge... Delivered.

SITE NAME: 3RD & JORDAN
SITE NUMBER: IN0643
1302 EAST 3RD STREET
BLOOMINGTON, IN 47401
MONROE COUNTY

900 EAST 96TH STREET
SUITE 500
INDIANAPOLIS, INDIANA 46240

NO.	DATE	REVISIONS	BY	CHK	APP'D
A	06/06/11	ISSUED FOR ZONING REVIEW	LIB	MRL	TTP

SCALE: AS SHOWN DESIGNED BY: BR/LJB DRAWN BY: LIB

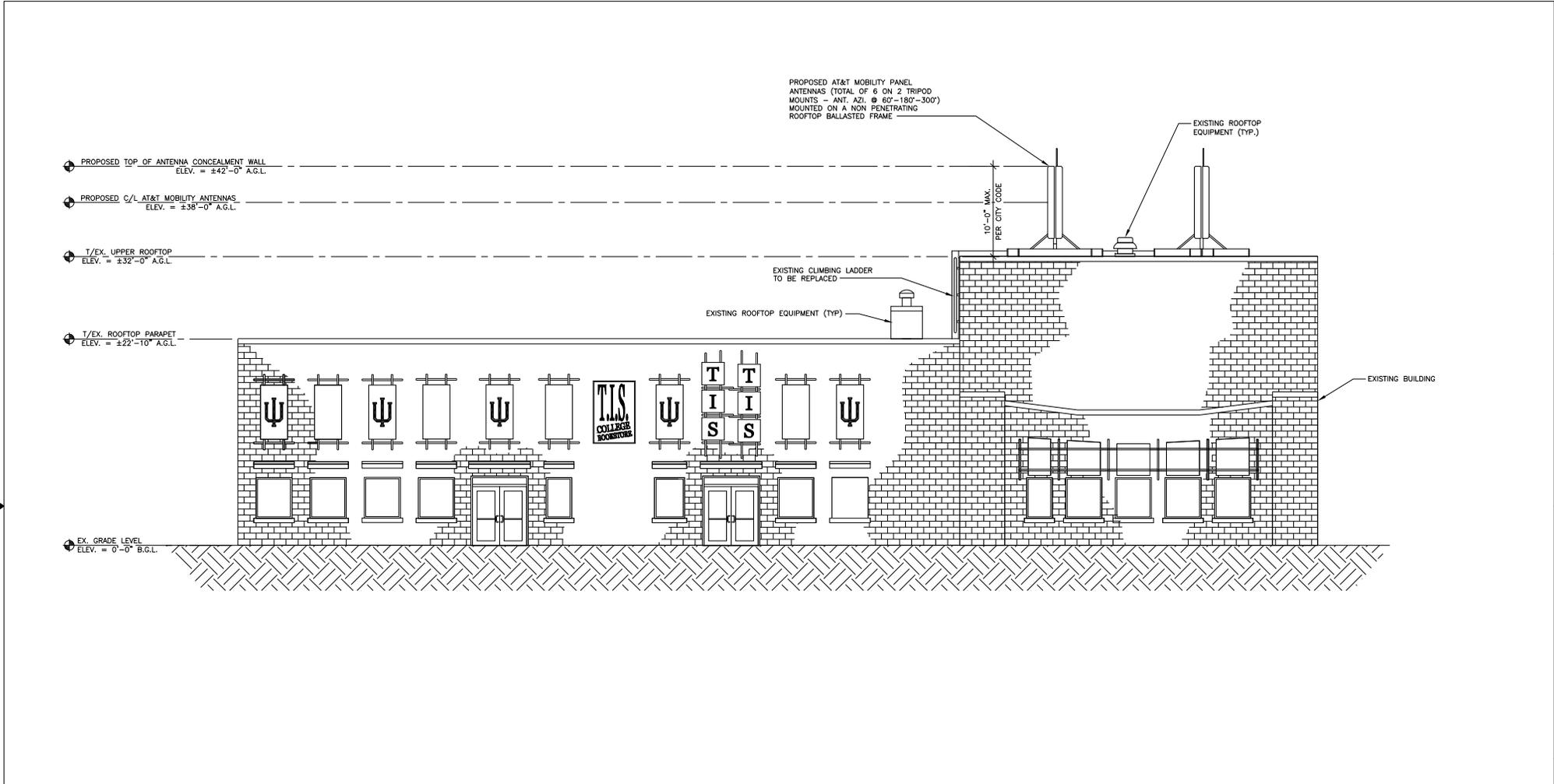


AT&T MOBILITY

PROPOSED NORTH ELEVATION

DRAWING NUMBER: IN0643-ZD6-NORTH ELEVATION

UVV-40-11
Elevation with Screen Wall



PROPOSED NORTH ELEVATION

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

GPD GROUP.
 8275 Allison Pointe Trl., Suite. 220 317-299-2996
 Indianapolis, IN 46250 Fax 317-293-1331
 GPD JOB# 2011042.14

GoodmanNetworks
 Network Knowledge... Delivered

SITE NAME: 3RD & JORDAN
SITE NUMBER: IN0643
 1302 EAST 3RD STREET
 BLOOMINGTON, IN 47401
 MONROE COUNTY

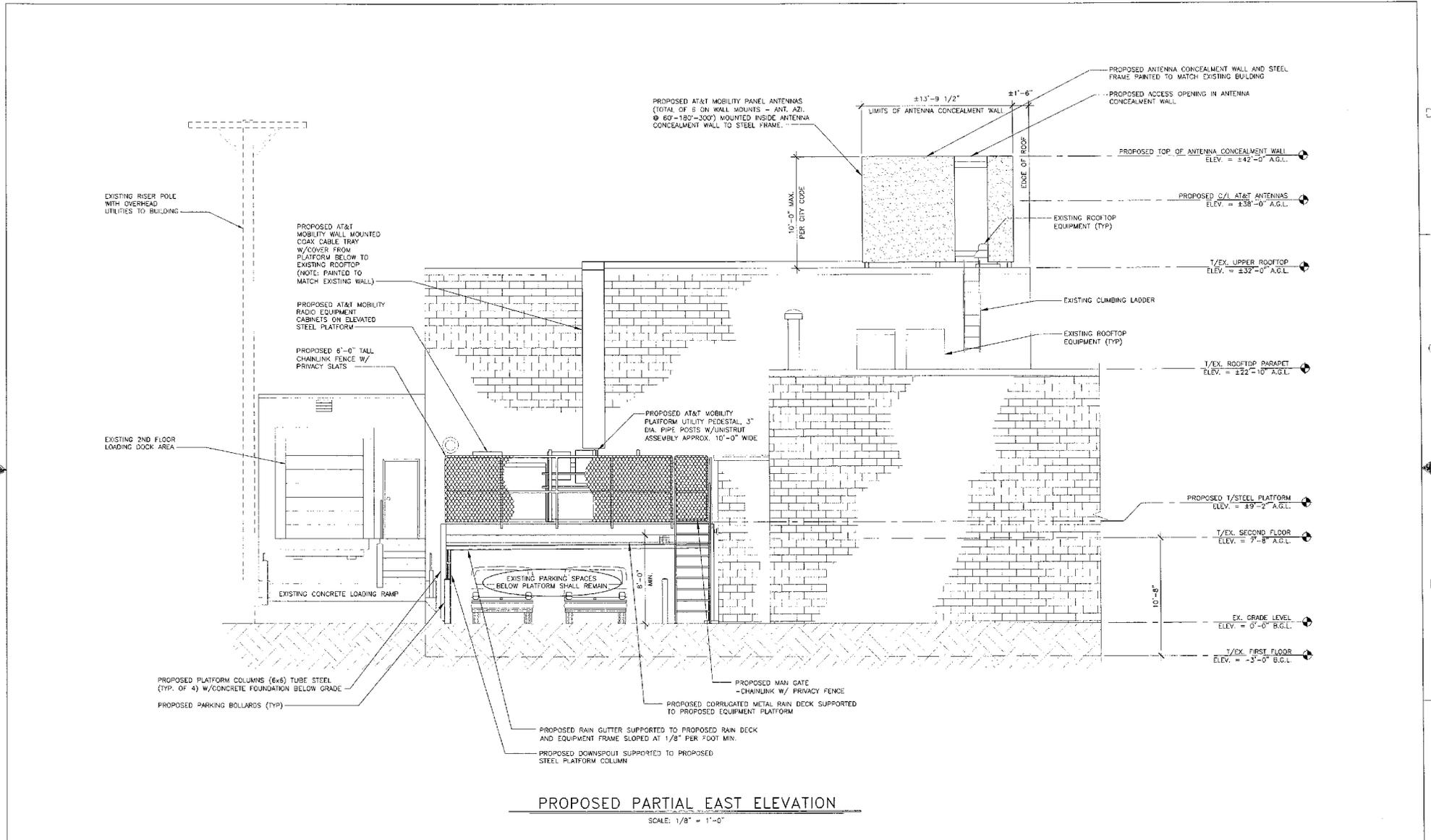
at&t
 900 EAST 96TH. STREET
 SUITE 500
 INDIANAPOLIS, INDIANA 46240

NO.	DATE	REVISIONS	BY	CHK	APP'D
B	09/26/11	ALTERNATE ANTENNA MOUNTING	SEK	LIB	TTP
A	06/06/11	ISSUED FOR ZONING REVIEW	LIB	MRL	TTP
SCALE: AS SHOWN			DESIGNED BY: BB/LIB	DRAWN BY: LIB	



AT&T MOBILITY	
PROPOSED NORTH ELEVATION	
DRAWING NUMBER	REV
IN0643-ZD6-NORTH ELEVATION	B

UVV-40-11
 Elevation without screen wall



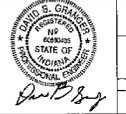
GPD GROUP.
 8275 Allison Pointe Trl., Suite 220 317-296-2996
 Indianapolis, IN 46250 Fax 317-293-1331
 GPD 4/09 2011042.14

GoodmanNetworks
 Network Knowledge. Enhanced.

SITE NAME: 3RD & JORDAN
SITE NUMBER: IN0643
 1302 EAST 3RD STREET
 BLOOMINGTON, IN 47401
 MONROE COUNTY

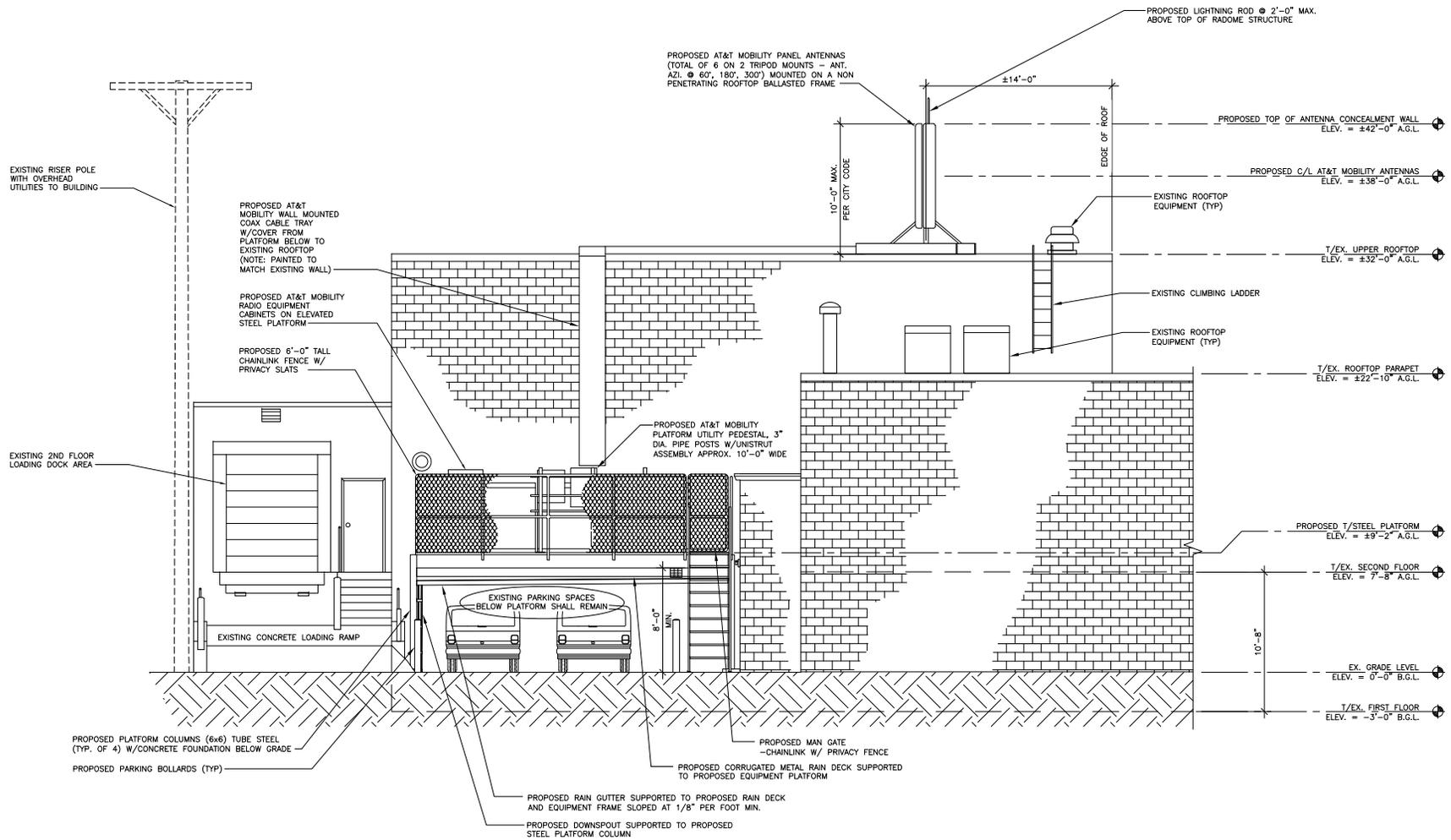
at&t
 900 EAST 96TH STREET
 SUITE 500
 INDIANAPOLIS, INDIANA 46240

NO.	DATE	ISSUED FOR ZONING REVIEW	LIB	MRL	TTP
		REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN		DESIGNED BY: BR/LJB	DRAWN BY: LJB		



AT&T MOBILITY
 PROPOSED PARTIAL EAST ELEVATION
 DRAWING NUMBER: IN0643-ZD5-EAST ELEVATION
 REV: A

UVV-40-11
 Rear elevation with screen wall



PROPOSED PARTIAL EAST ELEVATION

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



GPD GROUP
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 Indianapolis, IN 46250
 317-299-2996
 Fax 317-293-1331



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 Network Knowledge. Distilled.

SITE NAME: 3RD & JORDAN
SITE NUMBER: IN0643

1302 EAST 3RD STREET
 BLOOMINGTON, IN 47401
 MONROE COUNTY



900 EAST 96TH. STREET
 SUITE 500
 INDIANAPOLIS, INDIANA 46240

NO.	DATE	REVISIONS	BY	CHK	APP'D
B	09/26/11	ALTERNATE ANTENNA MOUNTING	SEK	LIB	TTP
A	06/06/11	ISSUED FOR ZONING REVIEW	LIB	MRL	TTP

SCALE: AS SHOWN DESIGNED BY: BB/LIB DRAWN BY: LIB



AT&T MOBILITY

PROPOSED PARTIAL EAST ELEVATION

DRAWING NUMBER	REV
IN0643-ZD5-EAST ELEVATION	B

UVV-40-11
 Rear elevation without screen wall

7454.00A

Triple Mount Bracket

ANTENNA LENGTH: ≥ 1.5 meter/5 feet

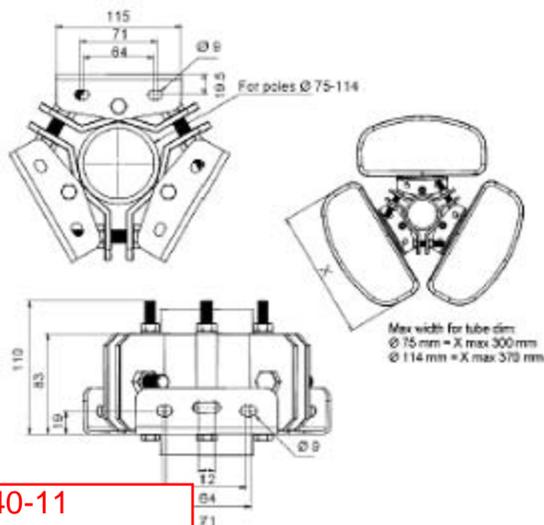
WEIGHT: 1.5 kg/3.3 lbs

The Powerwave Triple Mount Bracket allows the mounting of three antennas on a single support for a sturdy and elegant installation. The Triple Mount Bracket permits independent mechanical and electrical tilting of each sector, offering unparalleled versatility. Antennas may be used with their standard mounting hardware, with or without mechanical tilt. The Model 7454.00 Triple Mount Bracket is compatible with all directional Powerwave panel antennas up to 370 mm/14.5" width. Antennas shorter than 1.5 m/5 feet can use the full tilt range of 7456.00A antenna tilt bracket. Antennas longer than 1.5 m/5 feet shall not be tilted. Only one kit for all three antennas.

CROSS REFERENCE TABLE

Family	Part Number
LBB65	747x.xx
LBB90	748x.xx
DHBB	776x.xx
DBB65	775x.x0
DBB90	777x.x0
TBB65	778x.x0
ALP	7804.00, 7824.00, 7834.00, 7838.00
City	7143.xx.xx.xx, 7144.xx.xx.xx, 7145.xx.xx.xx
Urban	7218.1x, 7225.0x, 7226.0x, 7227.0x, 7228.0x, 7230.0x, 7231.0x, 7232.0x, 7233.0x, 7270.0x, 7271.0x, 7272.0x, 7273.0x, 7275.0x, 7276.0x, 7277.0x, 7278.0x
Xurban	7227.1x, 7216.0x, 7217.0x, 7218.0x, 7255.0x, 7263.0x, 7281.0x, 7282.0x
AL Antennas	7337.0x, 7338.0x, 7339.0x, 7840.x0, 7850.x0, 7329.0x, 7330.0x, 7331.0x, 7332.0x, 7333.0x, 7334.0x
5 Series	747x.xx, 748x.xx, 570x.0x, 572x.x, 5735.x0, 5740.x0, 5745.x0, 776x.xx, 775x.x0, 777x.x0, 778x.x0

MECHANICAL DRAWINGS



UVV-40-11
Antenna design

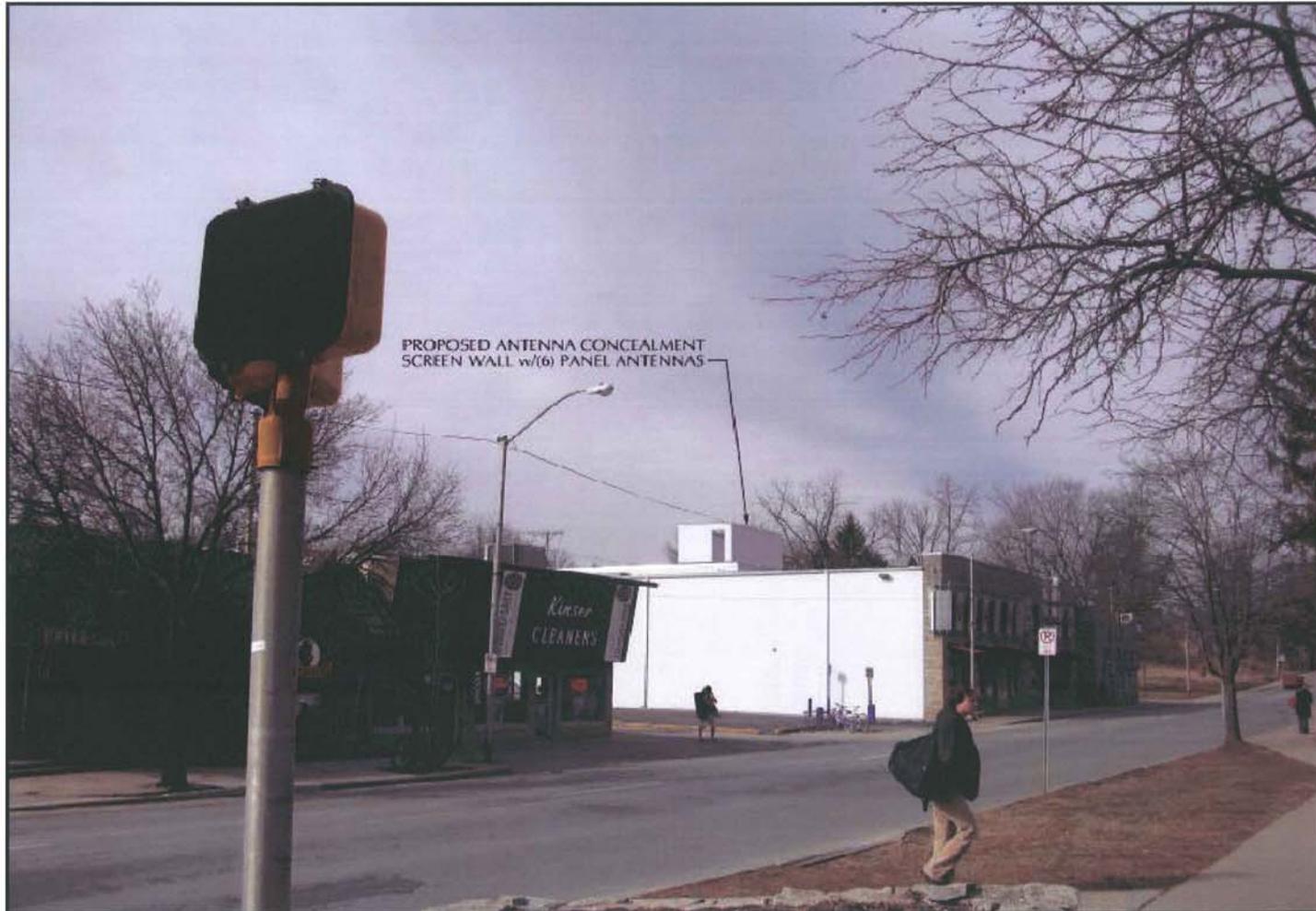


IN0643 VIEW FROM LOCATION #1 (BEFORE)

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Western view-existing



IN0643 VIEW FROM LOCATION #1 (AFTER)

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Western view with screen wall



IN0643 VIEW FROM LOCATION #1 (AFTER) - ALTERNATE

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Western view without screen wall

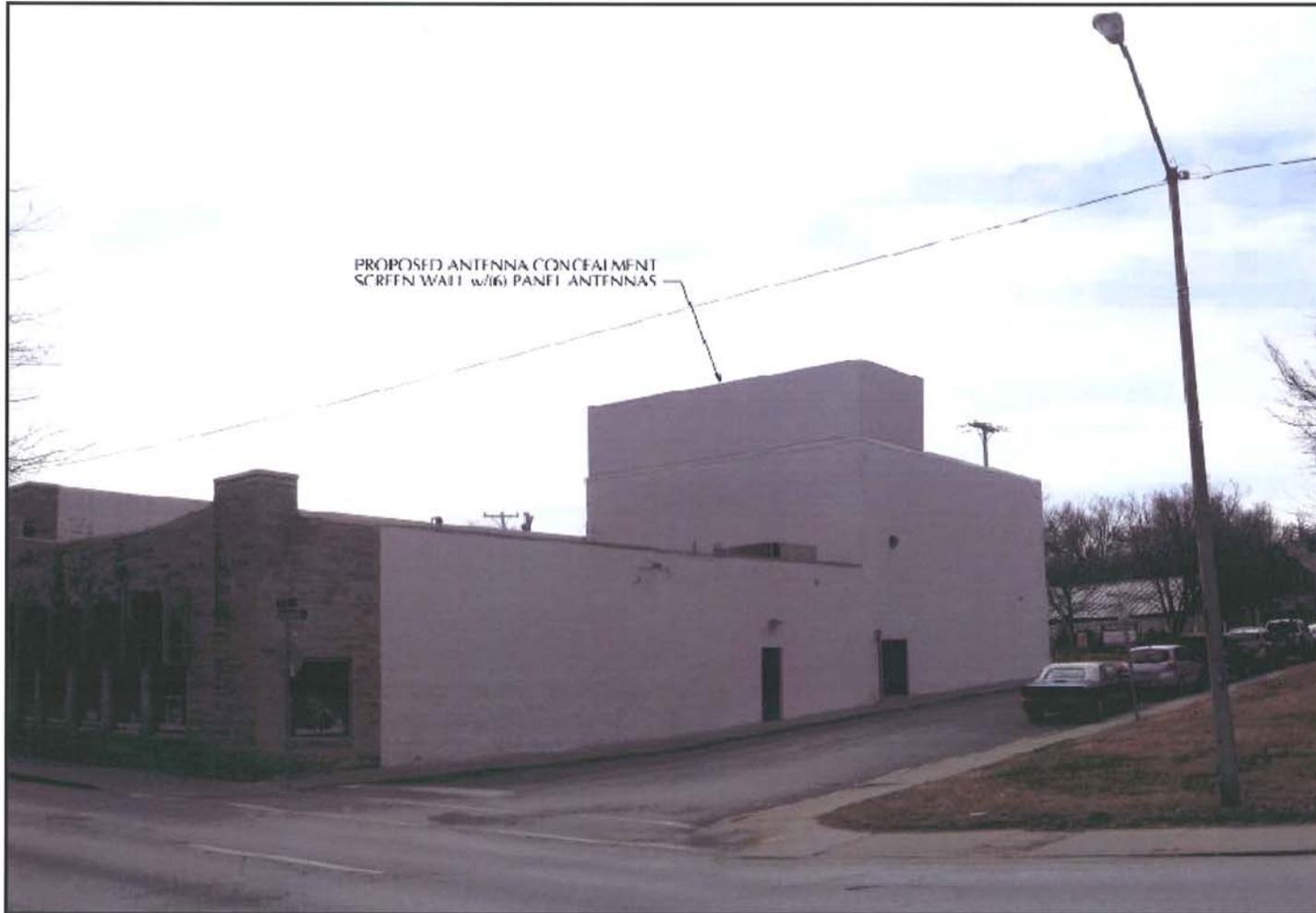


IN0643 VIEW FROM LOCATION #2 (BEFORE)

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Eastern view- existing



PROPOSED ANTENNA CONCEALMENT
SCREEN WALL w/16 PANEL ANTENNAS

IN0643 VIEW FROM LOCATION #2 (AFTER)

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Eastern view with screen wall

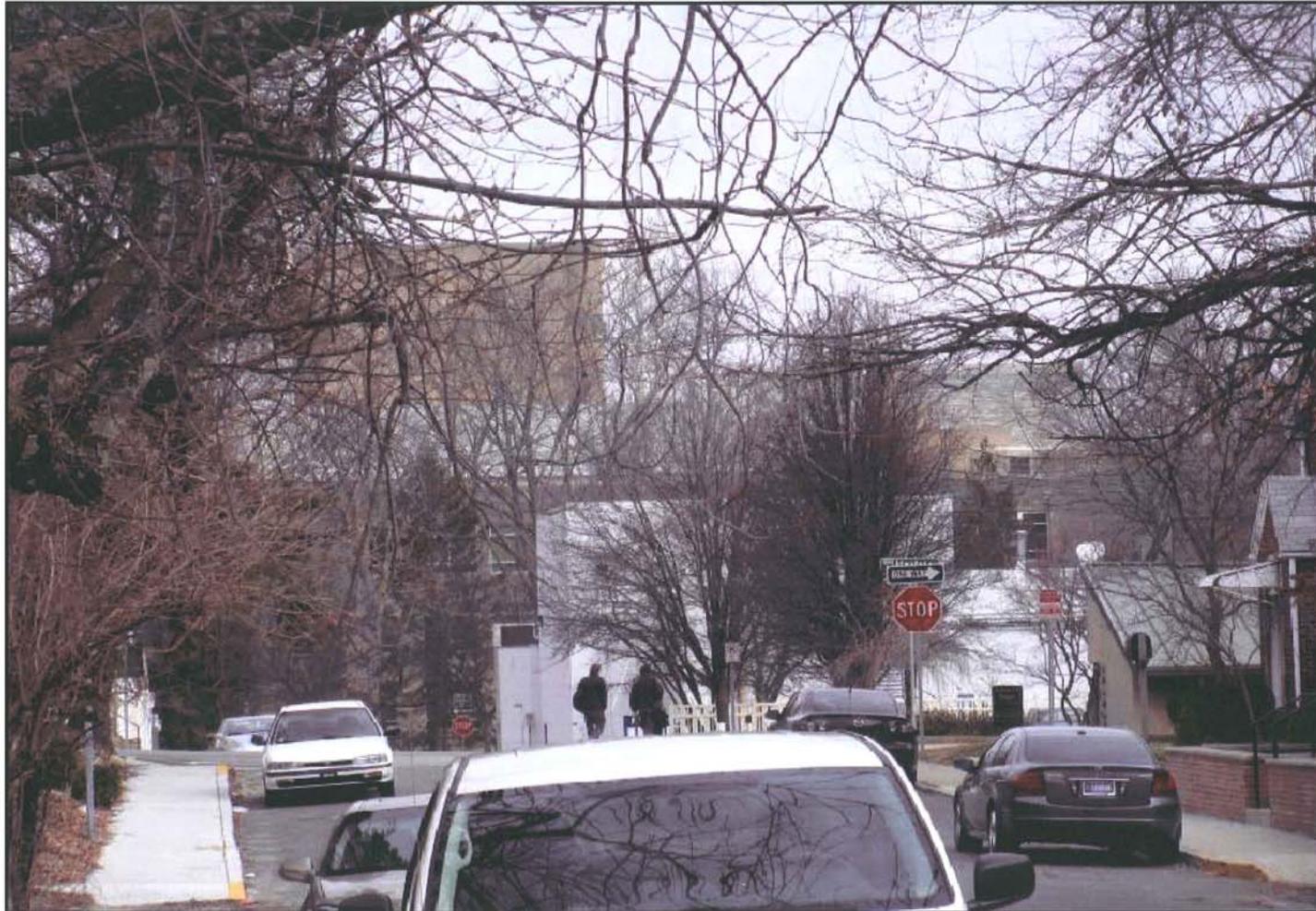


IN0643 VIEW FROM LOCATION #2 (AFTER) - ALTERNATE

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Eastern view without screen wall

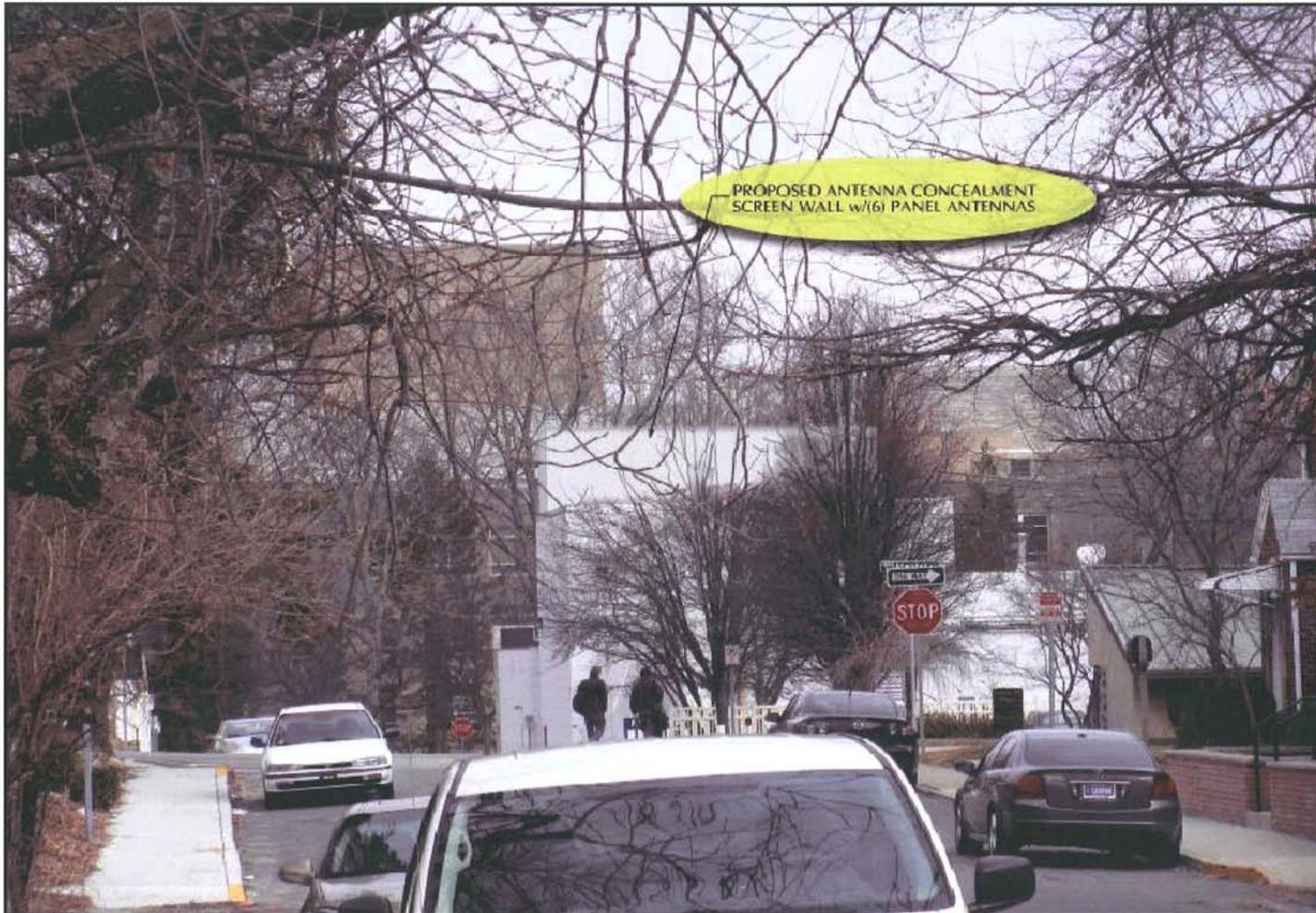


IN0643 VIEW FROM LOCATION #5 (BEFORE)

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Southern view-existing

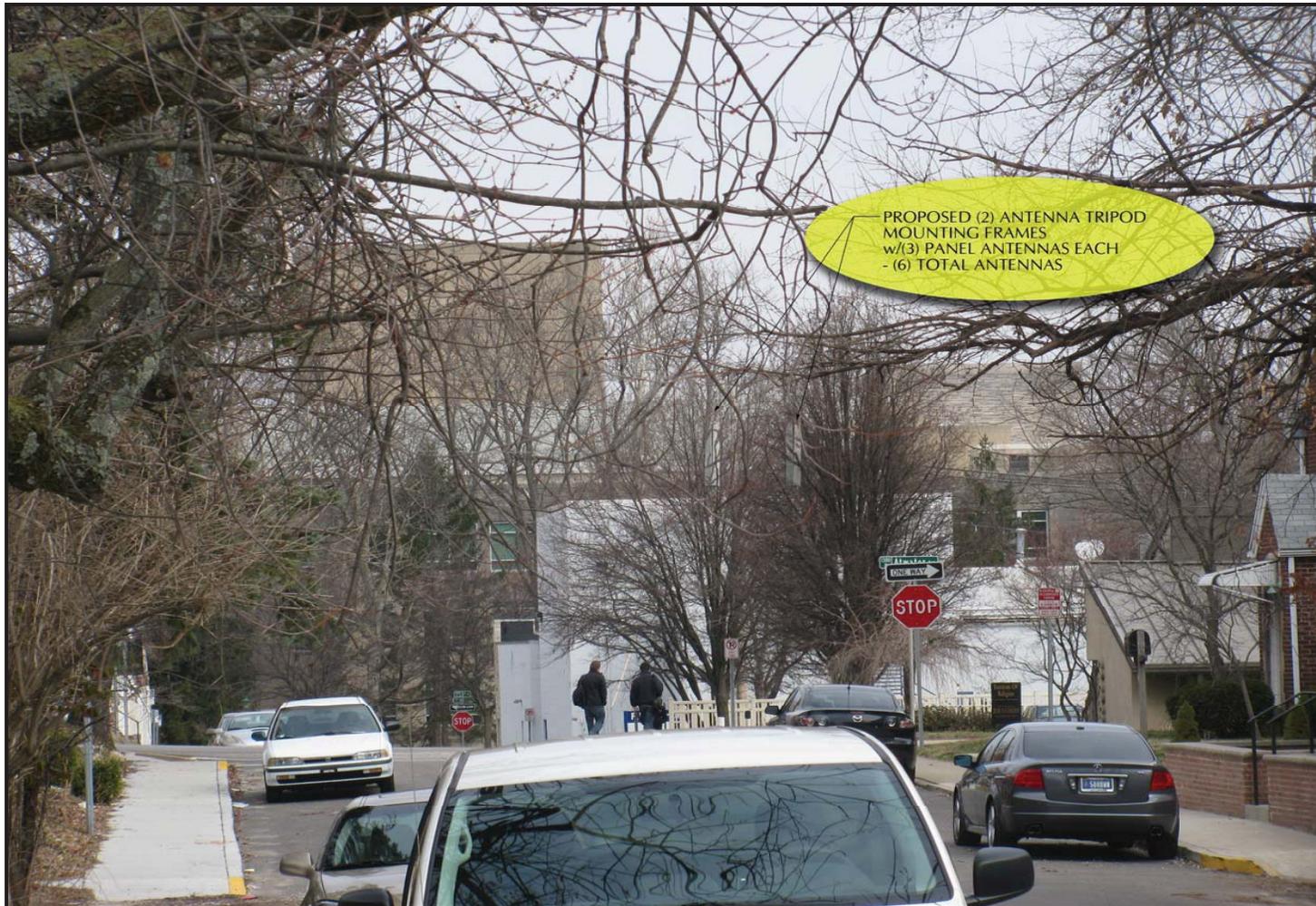


IN0643 VIEW FROM LOCATION #5 (AFTER)

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331



UVV-40-11
Southern view with screen wall

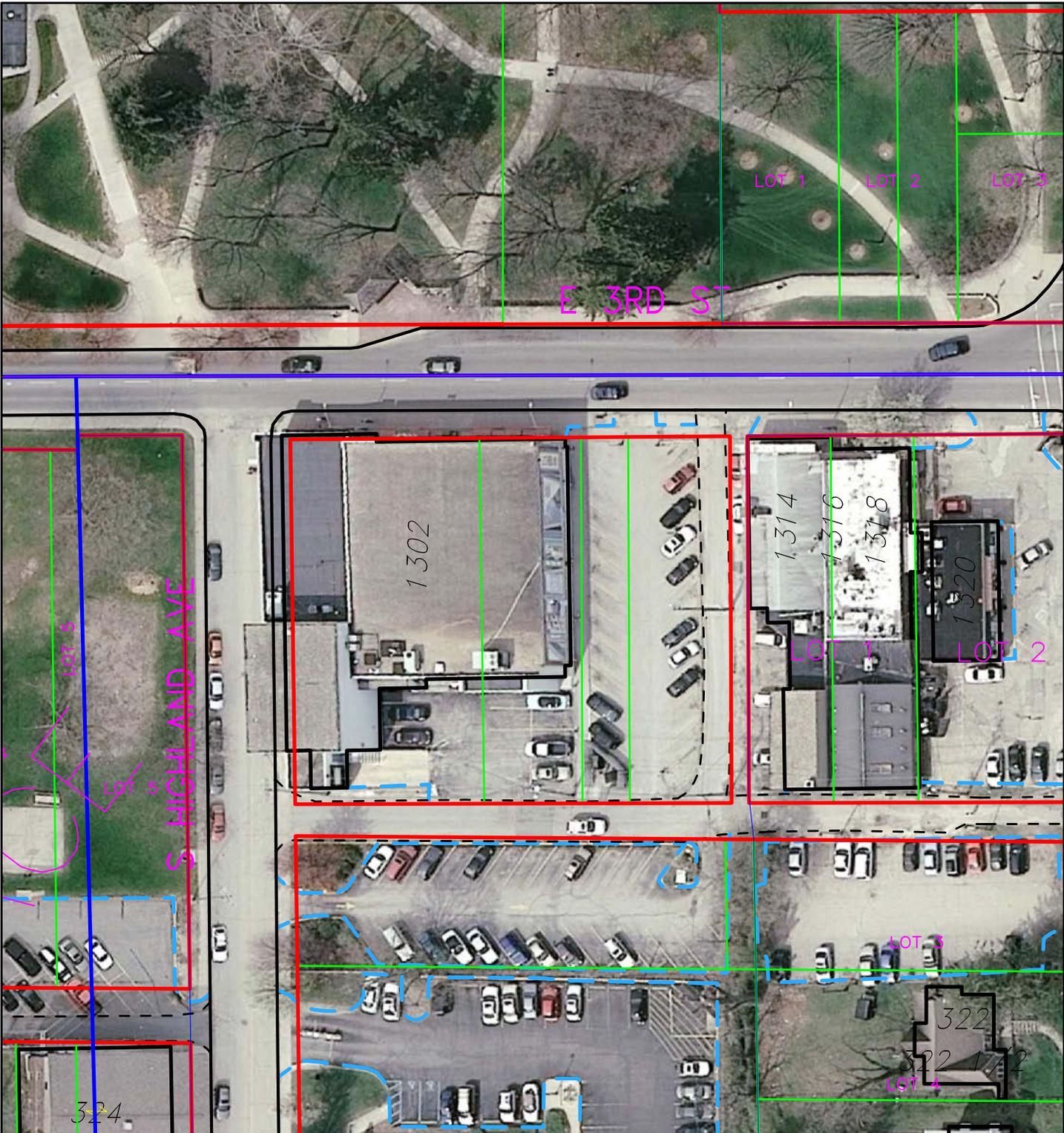


IN0643 VIEW FROM LOCATION #5 (AFTER) - ALTERNATE

8275 Allison Pointe Trail . Suite 220 . Indianapolis, Indiana 46250 • PHONE 317-299-2996 • FAX 317-293-1331

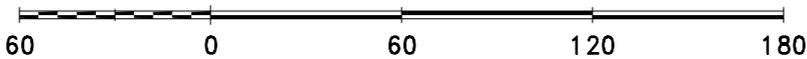


UVV-40-11
Southern view without screen wall



UVV-40-11
2010 Aerial Photo

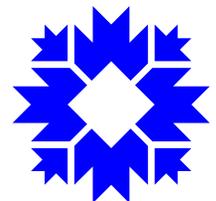
By: roachja
28 Sep 11



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 60'

PETITIONER: CJ Satellite LLC
PO Box 337 Clear Creek, IN 47426

REQUEST: The petitioner is requesting a use variance to allow first floor residential within a Commercial General (CG) zoning district. The petitioner is also requesting a development standards variance from the maximum density of 15 dwelling unit equivalents per acre to allow 15.01 dwelling unit equivalents per acre.

SUMMARY: The property is located on the east side of N. College Avenue between 15th and 17th Street and is zoned Commercial General (CG). It has been developed with a two-story apartment building and a rear parking lot. Surrounding uses are varied and include offices, a car repair shop, a hair salon, and mixed-use.

The existing building contains two apartment units. The first is a five-bedroom unit, and it includes the upper and lower levels of the main house and a finished walkout basement. The second unit contains one bedroom and is located above the attached garage. The petitioner proposes to add an additional three-bedroom apartment unit within the basement of the existing structure. The entrance and stairs to the basement from the existing 5-bedroom unit will be removed.

The Unified Development Ordinance (UDO) only allows residential uses on upper floors within the CG district. The petitioner is requesting a Use Variance to allow a residential use on the first floor. The Use Variance is necessary to legitimize the existing residential use of the first floor. This use is currently considered lawfully nonconforming, and no expansions are permitted unless a Use Variance is approved.

The UDO also limits the maximum density in the CG district to 15 dwelling unit equivalents per acre. The additional unit would bring the site density to 15.01 dwelling units per acre. The petitioner is requesting a Development Standards Variance from maximum density.

PLAN COMMISSION RECOMMENDATION: The Plan Commission reviewed the use variance request at their October 10, 2011 meeting. The Plan Commission voted unanimously to forward the use variance request to the BZA with a positive recommendation.

20.09.140 CRITERIA AND FINDINGS FOR USE VARIANCE:

Pursuant to IC 36-7-4-918.4. the Board of Zoning Appeals or the Hearing Officer may grant a variance from use if, after a public hearing, it makes findings of fact in writing, that:

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

Staff Finding: Staff finds no injury with the residential use.

- (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; and*

Staff Finding: Staff finds no adverse impacts to the adjacent area from this request. The building has been used residentially for many years with no known negative impacts.

- (3) *The need for the variance arises from some condition peculiar to the property involved; and*

Staff Finding: Staff finds peculiar condition in that this is a residentially designed structure in an area with a mix of commercial and residential uses. The first floor has always been residential in nature.

- (4) *The strict application of the terms of the Unified Development Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and*

Staff Finding: Staff finds that the strict application of the UDO will constitute an unnecessary hardship in that conversion of the first floor to commercial would be impractical with only a small change to the structure. This proposal to add a unit within the existing structure is a minor intensification of the residential use, with no changes proposed to the first floor.

- (5) *The approval does not interfere substantially with the Growth Policies Plan.*

Staff Finding: The GPP designates this property as “Commercial Activity Center”. The fundamental goal of these areas is to “incorporate a balance of land uses to take advantage of the proximity to goods and services.” Medium scaled commercial retail and service uses are the primary land uses within the CAC, but residential is also a component. Although the use of the subject site is and is proposed to remain residential, it is located within a strip along N. College Avenue that currently has a mix of commercial and residential uses. The Plan Commission found that the proposed use will not substantially interfere with the goals of the GPP as the existing use of the building is residential, and the uses along the corridor will remain mixed.

20.09.130 (e) CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE:

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 with the petition. The proposed additional unit will be a minor increase in density above the maximum allowable in the CG district. This is an area that is not found in close proximity to a core neighborhood, has good public services, and is encouraged for additional density.

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 Findings: Staff finds that the use and value of the adjacent area will not be affected in a substantially adverse manner. The area is currently a mix of commercial, mixed-use, and multi-family. The proposed density is only slightly more than the maximum allowable.

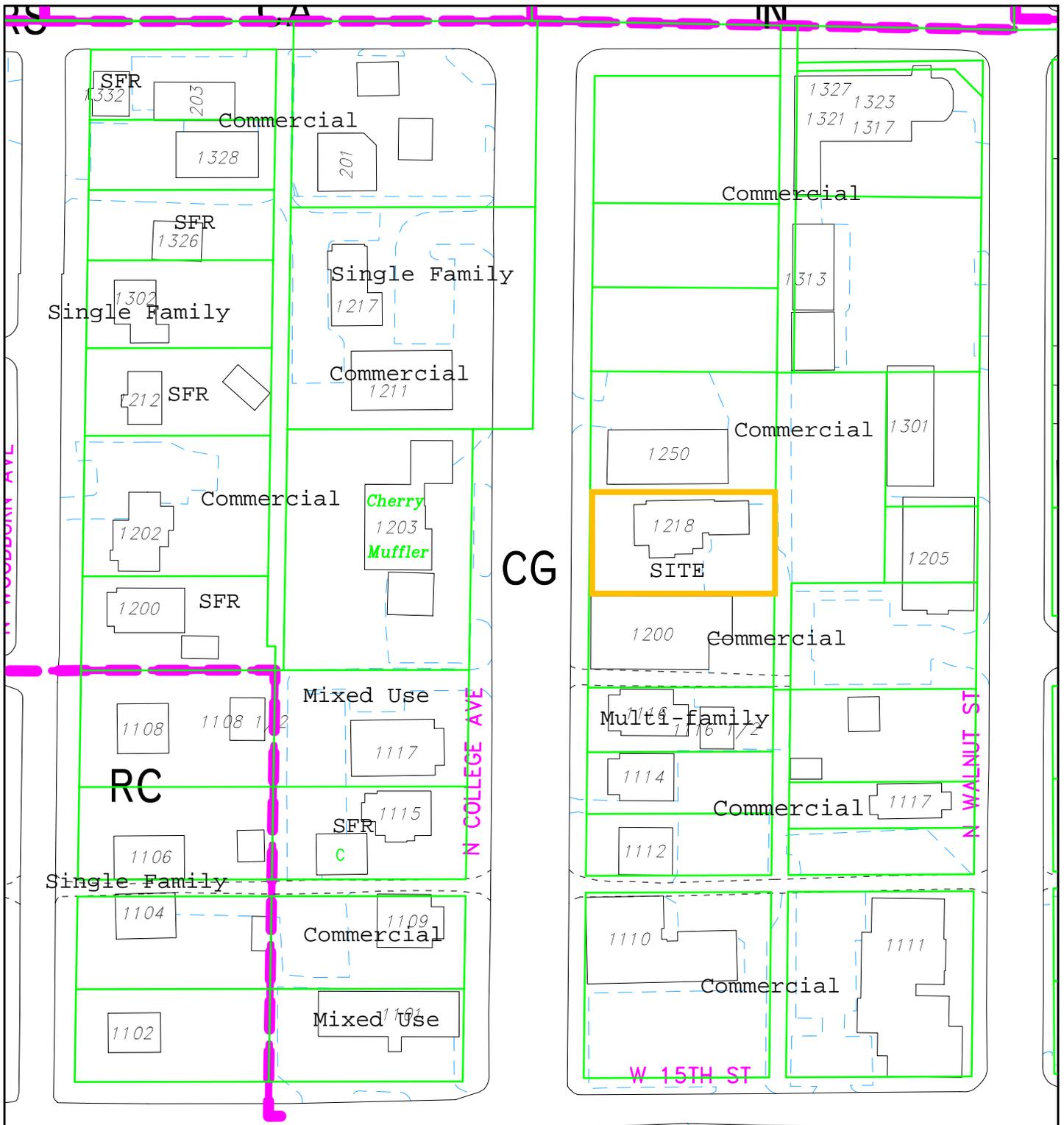
3. *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the variance will relieve practical difficulties.*

Staff's Findings: Staff finds peculiar condition in that the size of the property is just slightly below the area required by code to allow the additional unit. In addition, the property area was reduced due to a right-of-way dedication associated with a recent subdivision plat. The UDO does not permit any rounding down, but the increase in density is negligible.

CONCLUSION: Staff finds that this is a minor deviation from code in an area with a mix of uses. Although density will be slightly above the maximum allowed, all other development standards including maximum impervious surface will be met. Staff finds that the variances will not have an adverse impact on the surrounding area.

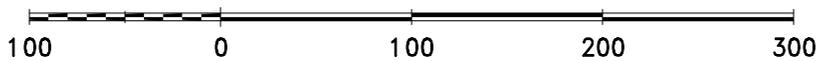
RECOMMENDATION: Based upon the written findings above, staff recommends approval of UV/V-41-11 and the requested variances with the following condition:

1. Any further intensification, expansion, enlargement, extension, or relocation of residential use on the first floor will require a new Use Variance.



UV/V-41-11 CJ SATELLITE
 BOARD OF ZONING APPEALS
 LOCATION/LAND USE MAP

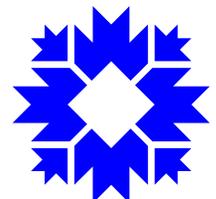
By: bannok
 29 Sep 11



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 100'

Petitioner's Statement for Variance from Use Proposal

1218 N College Avenue

Submitted by CJ Satellite, LLC by John Lukens

The property was acquired by CJ Satellite, LLC on August 31, 2011.

This residential structure was built around the early 1900's. It is a two story wood frame structure built over a limestone basement and foundation. The structure is presently occupied and used as a student rental. It is currently in a state of lawful nonconformance in the use of the main floor as residential. The second floor and main floor of the house contain a total of 5 bedrooms. Additionally, there is a separate apartment over the garage with 1 bedroom. The house basement is finished and conditioned space. It is a walk out configuration, with good egress and good sized windows. It has a small kitchenette, full bathroom, two side rooms, and a great room area.

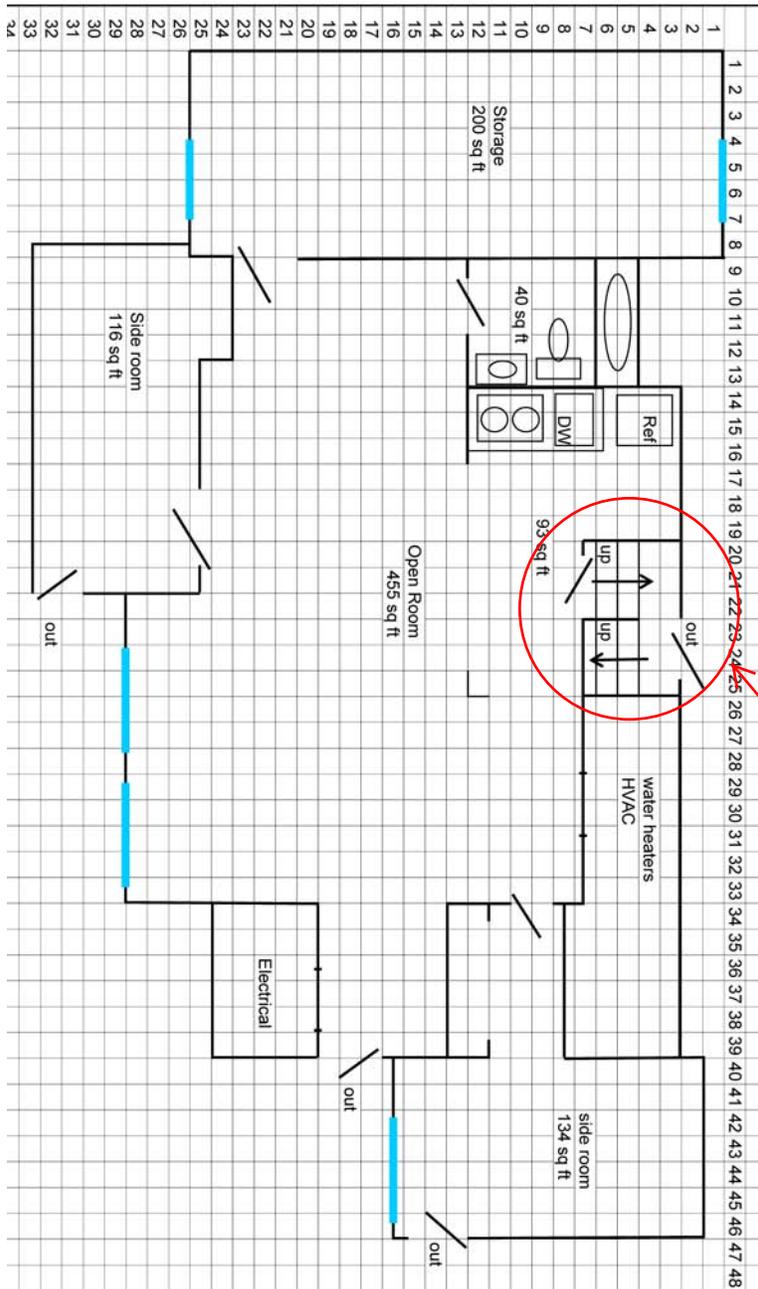
The purpose of this proposal is to legitimize the main floor use as residential, and to allow separation of the basement space from the main and second floors of the house, and conversion of the basement to a separate unit. We are proposing making very small internal modifications to the basement which will provide a total of three basement bedrooms for occupancy (see floor plans "as is" and "proposed").

The proposal supports the City of Bloomington's Growth Policies Plan. Developing and continuing mixed use neighborhoods, increasing residential housing in the downtown area, and increasing the integration of Indiana University and the city are a few examples of compatibility with the Plan's vision statement.

Student rentals currently abound in this area of the city. The general area is a mixture of commercial and residential properties. Property classes within approximately 300 ft. presently include 1) family dwelling, 2) other commercial structures, 3) other retail structures, 4) commercial garage, 5) office building, 6) convenience market with gas sales, and 7) family apartments. It can be reasonably judged that the use and value of the areas adjacent to 1218 N College will not be affected in a substantially adverse manner by granting this variance. Nor will granting the variance be injurious to the public health, safety, morals, and general welfare of the community.

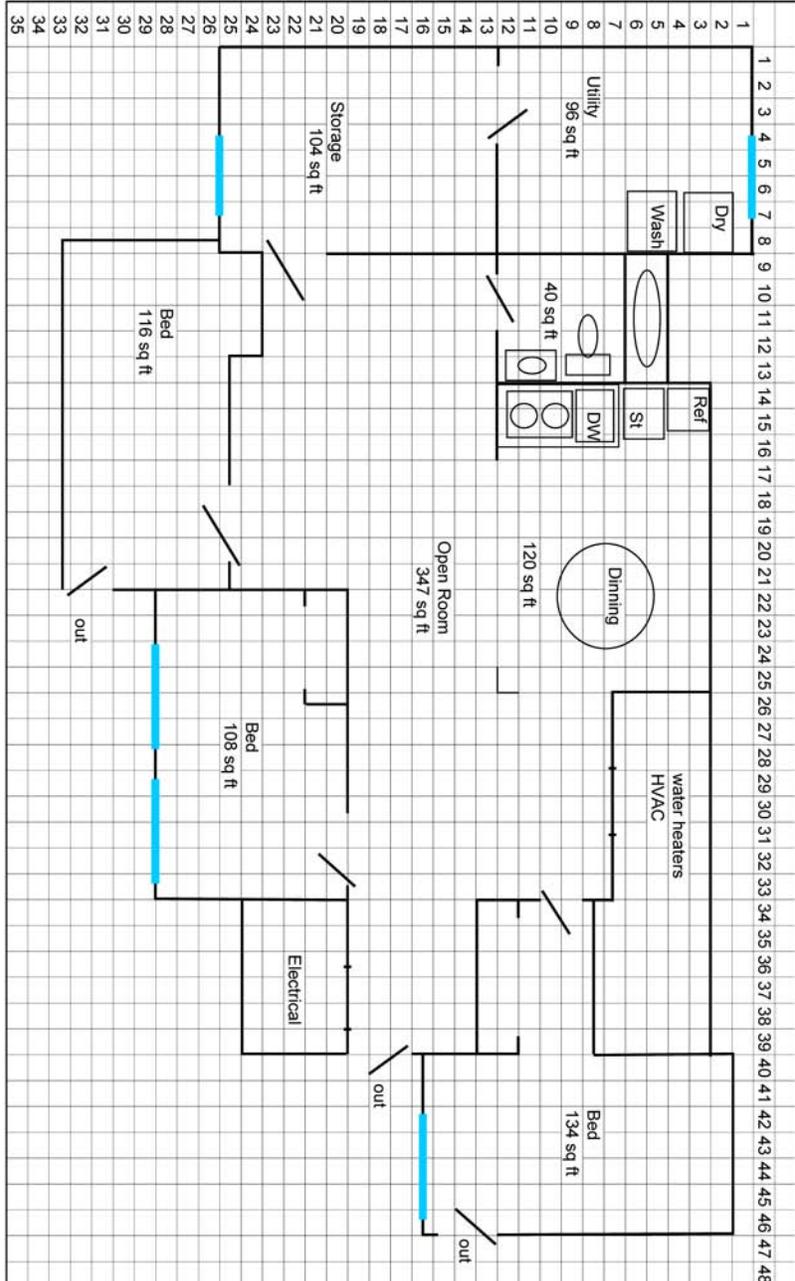
Further, the basement of the property is stuck in an in between state of development for greater use. It is unique in this condition in this location. As it is, it's neither fish nor fowl. Zoned commercial, but originally constructed and fitted out as residential. It is a part of a house, and is hidden from the traffic flow on North College. It has little available commercial capacity traffic access and no commercial security, or fire protection / separation provisions. These conditions render its use as commercial space impractical.

Existing Floor Plan

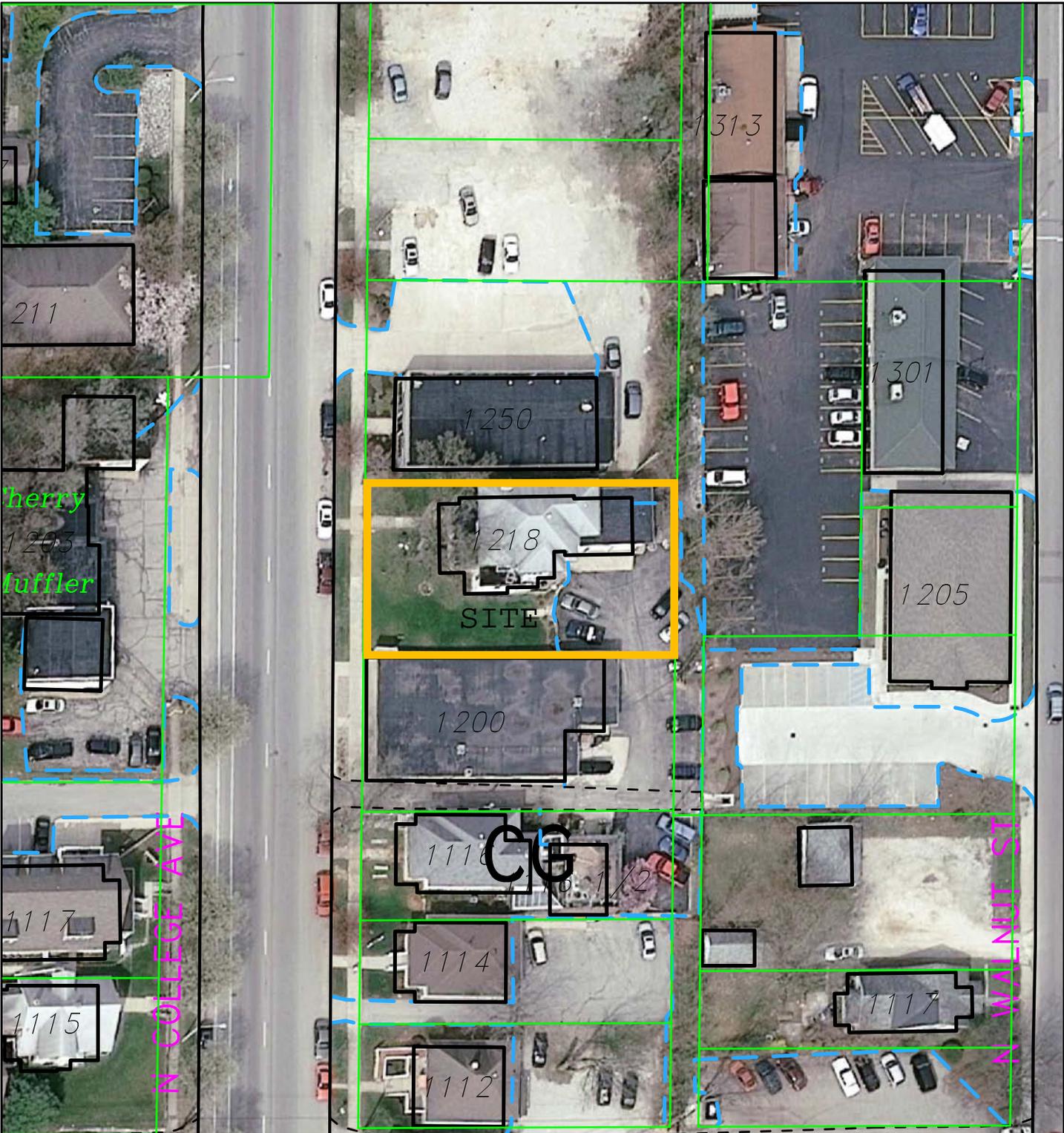


Stairs to be removed

Proposed Floor Plan

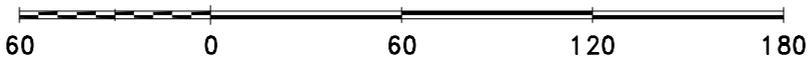


Property Location:		1218 N College ; Lot 5		Alternatives		Comments	
	Current Condition		Proposal				
Lot size (acres)		0.2132		0.2132		Check lot size	132 x 70.375 = 9289.5 sq ft > .2132 acres
Number of Bedrooms	5 bedroom house	5	5	9			
	House basement	0	3			Minor modifications to basement	
	Garage apt < 550 sq ft	1	1				
Dwelling Unit Equivalents		2.20		3.20			
	5 bedroom house	2	2				
	House basement	0	1				
	Garage apt < 550 sq ft	0.2	0.2			Confirmed: garage apt is 500 sq ft; qualifies for .2 dwelling unit equivalents	
Density		10.32		15.01			



UV/V-41-11
 AERIAL PHOTO

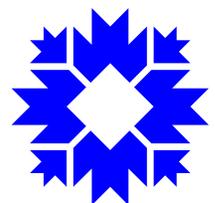
By: bannok
 29 Sep 11



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 60'

PETITIONER: Albert and Rebecca Jacquay
322 Blue Jacket Run, Fort Wayne

CONSULTANT: Kirkwood Design Studio
113 E. 6th Street, Bloomington

REQUEST: The petitioners are requesting variances from maximum impervious surface coverage and minimum front setback requirements for a porch addition.

REPORT SUMMARY: The property is located at the southwest corner of E. Southdowns Drive and S. Manor Drive and has been developed with a 1-story single-family house. The property is in the Elm Heights Neighborhood and is zoned Residential Single-family (RS). The property is surrounded on all sides by single family houses.

The petitioners propose to build a 10'x24' porch on the north side of the house, along Southdowns Dr. This porch would provide a more prominent entrance to the house and include a railing and a trellis covering.

The proposed porch does not meet front setback standards and the property does not meet maximum impervious surface coverage requirements. The petitioners have requested variances from these two standards to allow the porch to be built.

The RS district permits a maximum of 40% impervious surfaces. The existing lot is 44% impervious. With this project, the petitioners would be adding more impervious surface with the porch, but would also be removing an un-needed concrete parking pad. While the net result is a decrease in impervious surface (down to 42%) the lot will still not meet UDO maximums.

The UDO permits uncovered porches to extend 6 feet into the required setback for the main house. The house has been built at the setback line, so the porch can extend 6 feet to the north. The petitioners propose a porch that is 10 feet deep. They believe this is necessary to provide a usable outdoor living space.

**Maximum Impervious Surface Coverage
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. The removal of the parking area and addition of

the porch would not create any unsafe conditions.

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 no adverse impacts to the surrounding area. The proposal will result in a net decrease in impervious surface coverage on the property.

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 condition in allowing the "swap" of impervious surfaces from the driveway to the proposed porch. This proposal would not only result in a net reduction of impervious surface coverage, but will also result in bringing the driveway into compliance with current width standards. Not allowing this swap would result in practical difficulties because the addition actually improves two code provisions, impervious surface coverage and driveway width.

Setback

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 with the petition. The use and construction of the porch will not increase the impacts of the use on the property or the surrounding area.

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 does not anticipate any substantially adverse impacts to the area as a result of the porch. The porch will be mostly hidden behind three large trees and still be setback 67 feet from the centerline of Southdowns Dr. The proposed porch and trellis will add visual interest to a flat front of the house.

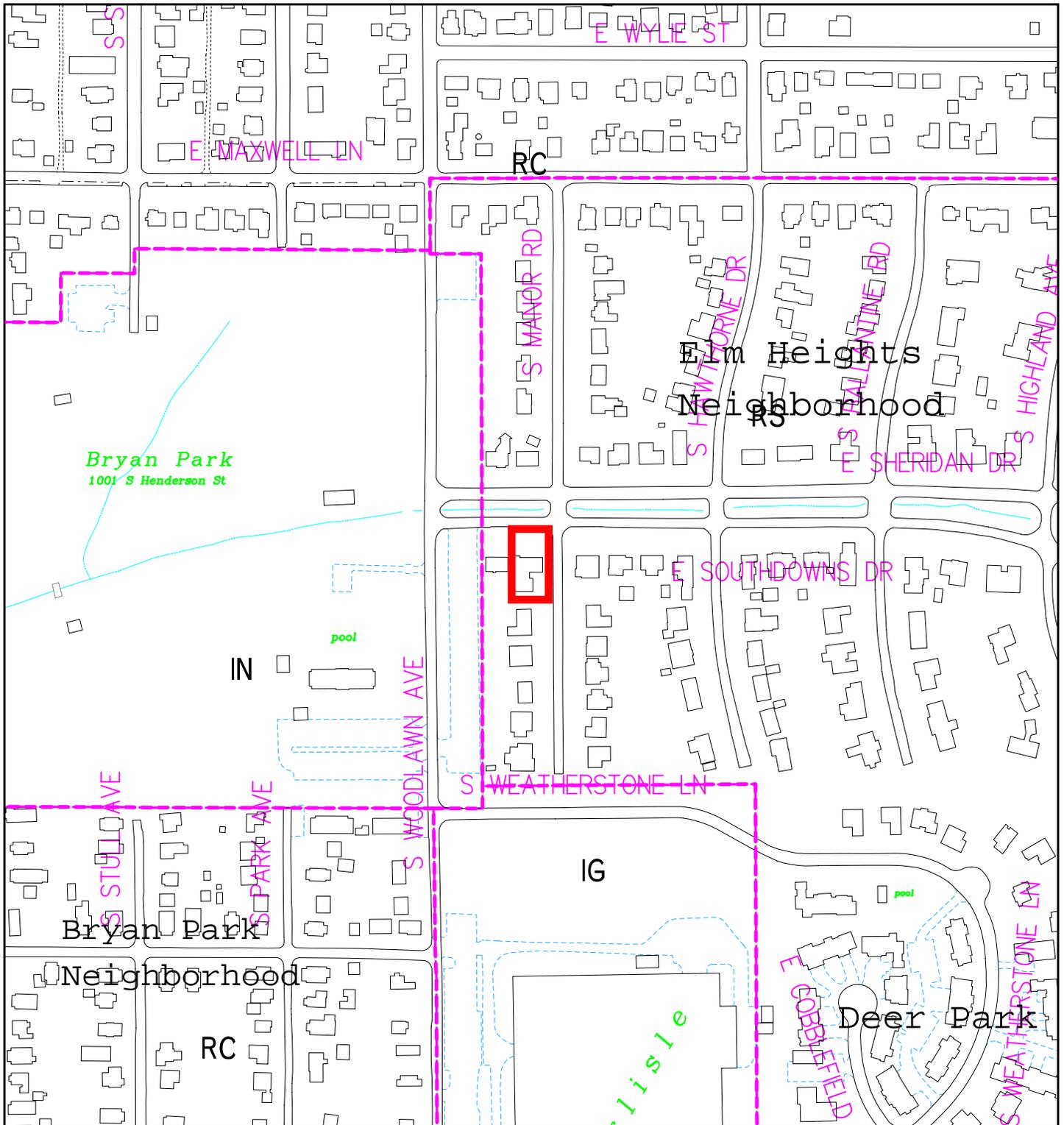
3. *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the variance will relieve practical difficulties.*

Staff's Finding: Staff finds no peculiar condition. The homes on the south side of Southdowns Dr. all maintain a very similar setback from the street and are all of a very similar size. Staff finds no practical difficulty. A six foot deep complying porch could be constructed without a variance.

Conclusion: While the proposed porch would add visual interest to the street side of the house and provide usable outdoor space, staff could find no peculiar conditions associated with this house or lot. A complying porch could be constructed without any practical difficulty. Furthermore, none of the adjacent houses have large front porches or reduced setbacks along Southdown Dr.

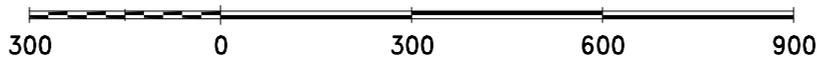
RECOMMENDATION: Based on the written findings, staff recommends approval of the maximum impervious surface coverage variance and denial of the setback variance with the following conditions:

1. The porch cannot extend more than 6 feet into the setback
2. The excess parking pad must be removed prior to or concurrent with porch construction. This area must be seeded and returned to lawn.

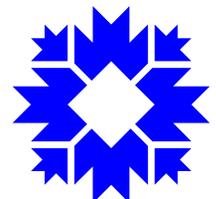


V-42-11 Jacquay
 1014 E. Southdowns Drive
 Location/Land Use map

By: roachja
 12 Oct 11



City of Bloomington
 Planning



Scale: 1" = 300'

For reference only; map information NOT warranted.



Jacquay Residence - 1014 East Southdowns Drive
Request for Front Setback Variance & Variance from Minimum Impervious Surface Coverage
September 21, 2011

113 east 6th street
bloomington, in 47408
812.331.0255 ph
812.331.0755 fax
www.kdsarchitects.com
ARCHITECTURE + PLANNING

PROJECT INTRODUCTION

Al and Becky Jacquay plan to retire to Bloomington in the next few years and would like to make 1014 E. Southdowns Drive their permanent residence. They have owned this house since 1998 as a rental property. In anticipation of their move, the Jacquays envision building a porch, which faces the primary street, E. Southdowns Drive, to take advantage of the wonderful parkway that connects them to Bryan Park. The proposed 10 foot by 24 foot porch is not covered but would have a post and trellis system. The porch would function as an extension of the interior living space built at the same floor elevation and connected through two new French doors.

This petition requests the approval of two variances in order to construct this porch: a variance from the maximum amount of impervious surface permitted and a front setback variance.

VARIANCE FROM MAXIMUM IMPERVIOUS SURFACE

With the addition of this front porch, the Jacquays propose removing the rear concrete parking area off the driveway and front concrete walk thereby balancing the new porch area for a total net loss of impervious surface. The percentage of impervious surface would go from 44% to 42%. The Jacquays would like to maintain the rest of the existing concrete walk and driveway as they anticipate aging in place and see a need for a secure walking surface in bad weather coming in and out of the car. A new garden walkway would connect the new front porch to the street.

FRONT SETBACK VARIANCE

In the UDO, uncovered porches are permitted to encroach up to 6 feet into the right-of-way. The proposed porch would encroach 10 feet to provide the depth for a usable outdoor living space.

The City improved East Southdowns Drive and East Sheridan Drive within the last 10 years making them each a one-way single lane with a pedestrian/ bike lane. The green area in the middle is a storm way that has been planted with a variety of trees and adorned with benches. This is a unique street configuration in Bloomington that ties the neighborhood directly to the park.

The right-of-way width along most of this parkway is 135 feet but widens to 155 feet at the final short block where the Jacquay house is located. This short block has only two houses, which, while in-line with one another, are set back further than all of the houses that follow to the east. The Jacquay's property and the immediate property to the west have a right-of-way that extends approximately 40 feet beyond the edge of the road. The proposed porch would sit approximately 18 feet from the right-of-way in keeping with a RS zoning classification which calls for a minimum front building setback of 15 feet.

A further particularity of the properties in this last block is that the overall right-of-way is offset approximately 20 feet to the south so that the houses on the south side sit further from the edge of the road than the houses on the north side.

Unique to Jacquay's property are the 3 large, mature evergreen trees in the front yard. These trees obstruct a clear view of the front of the house from the road. The presence of the proposed front porch will be mitigated year round in large part by these trees.

Lastly, in an effort to be respectful of the pattern of this established neighborhood, the Jacquays are proposing an uncovered, elevated porch. This makes for an overall lighter appearance while still accomplishing their goal of an outdoor space that engages the street.

GROWTH POLICIES PLAN

The Growth Policies Plan states that "the goal of development and redevelopment should serve to strengthen the attachment the Bloomington residents feel toward their community" (Conserve Community Character, p.17). Given the investment in infrastructure represented by this parkway, a huge public amenity, the addition of porches and entries along these facing streets would only serve to enhance the character of the neighborhood through a stronger identification of 'Place.'

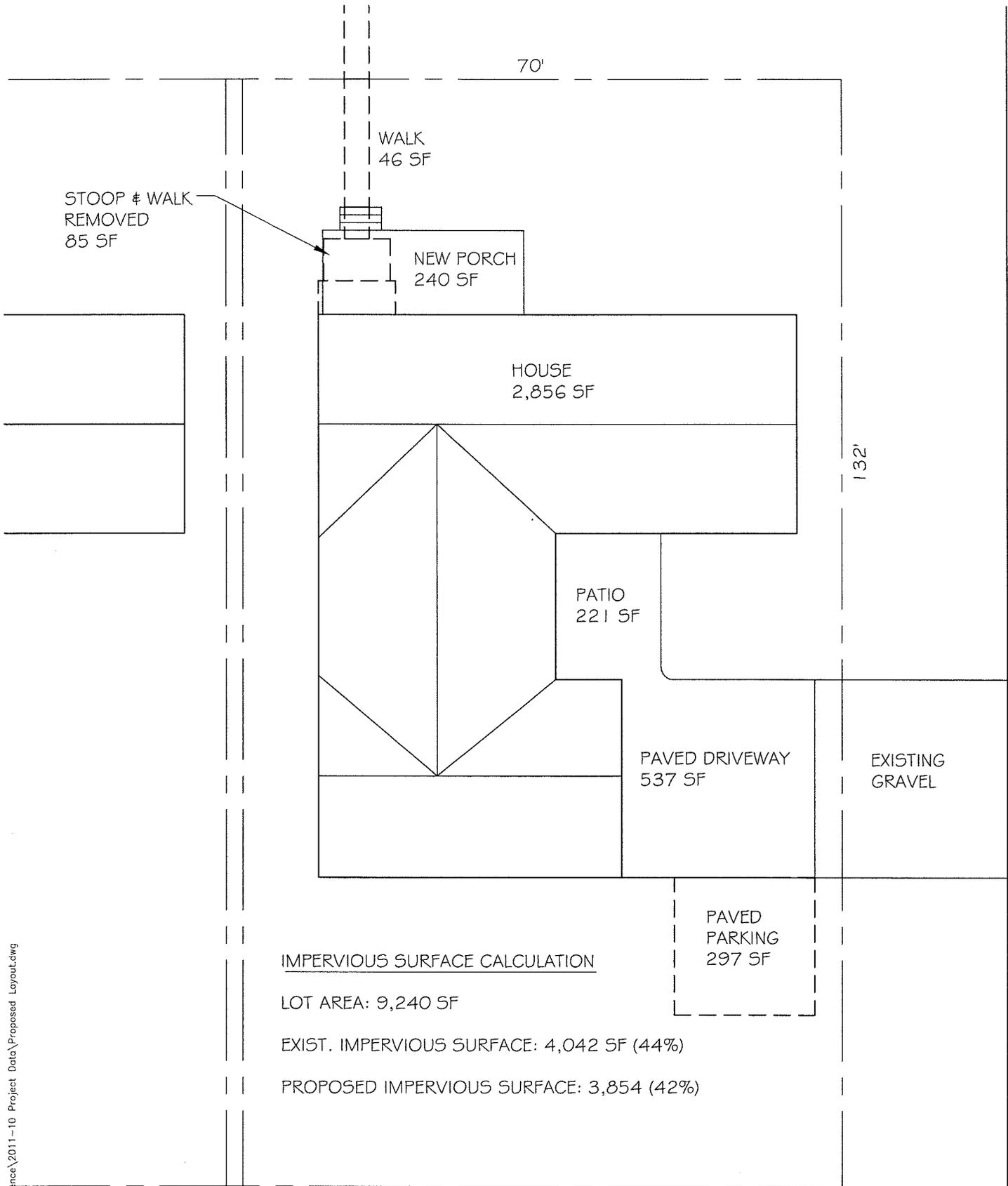
The Jacquay property is an area defined by the GPP as an Urban Residential area, which are those areas developed after the Core Residential areas were built-out. While these areas are mostly described as encompassing neighborhoods that are established and stable, the GPP states that "the fundamental goal for these areas is to encourage the maintenance of residential desirability and stability" (Urban Residential, p. 31).

This house, like the many small ranches in this area, was quite modest when it was built. Typical of this original house style, there was no entry sequence or covered entry. As Bloomington has continued to grow and develop, the value of this area, within a short distance to downtown and IU and adjacent to a vibrant regional park, has risen, priming these properties for further investment. Many of these homes, like those to the east and west of the Jacquays's property are rentals; building on the unique character of this street can help direct further investment in these properties and hopefully, bring about more opportunities for owner occupancy.

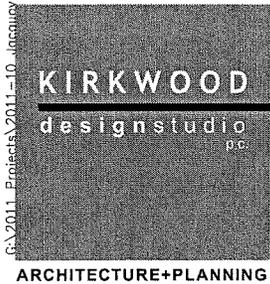
IN CONCLUSION

Over the last 10 years, there have been several cases that have granted front setback variances to allow the construction of front porches. These cases have been in older, established neighborhoods and share findings similar to those described above. In 2001, 1009 South Jordan, a property up the street from the Jacquay house, was granted a variance to allow a full two-story front porch addition. Findings for the practical difficulties in this case were related to the house sitting on a short block with only one other house, and the unique nature of South Jordan Ave in being a local street with no real outlet to the south.

Findings of practical difficulty to support a front yard setback variance for this property -- the uniquely wide right-of-way which has been recently been developed as a parkway, the offset of the right of way of this specific block from the uniformity of the rest of the street which results in this house sitting back farther from the edge of the street, this offset of right-of-way so that the houses on the south side of the block sit back further from the roads edge than the houses on the north side, and the presence of three large pine trees which obscure a full view of the front elevation -- all contribute to build a strong case for the approval of these variances.



G:\2011 Projects\2011-10_Incivlty Residence\2011-10 Project Data\Proposed Layout.dwg

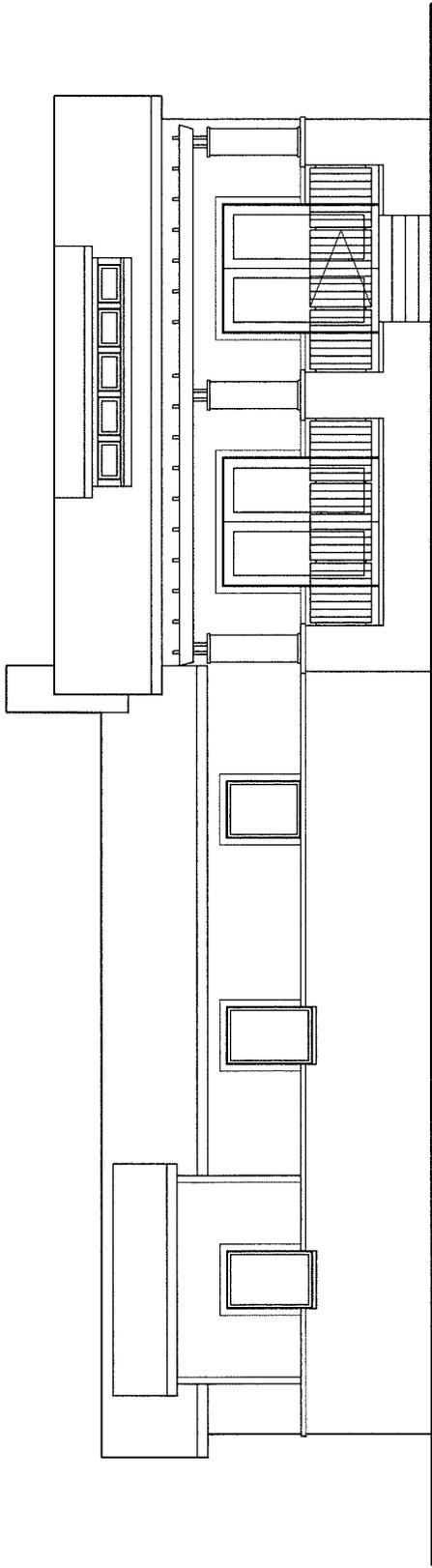


JACQUAY RESIDENCE - 1014 E. SOUTHDOWNS DR.
FRONT PORCH

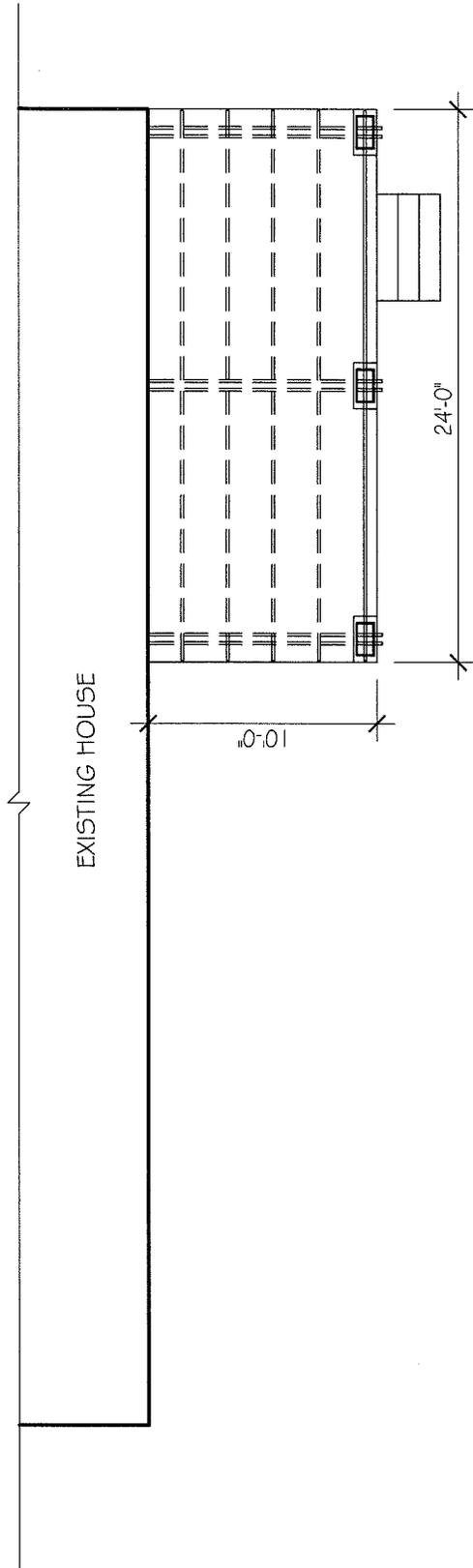
V-42-11
Site Plan

 **PLAN**
SCALE: 1/16" = 1'-0"

DRAWING NO.: A.2
PROJECT NO.: 2011-10
DATE: **48** 9.21.11

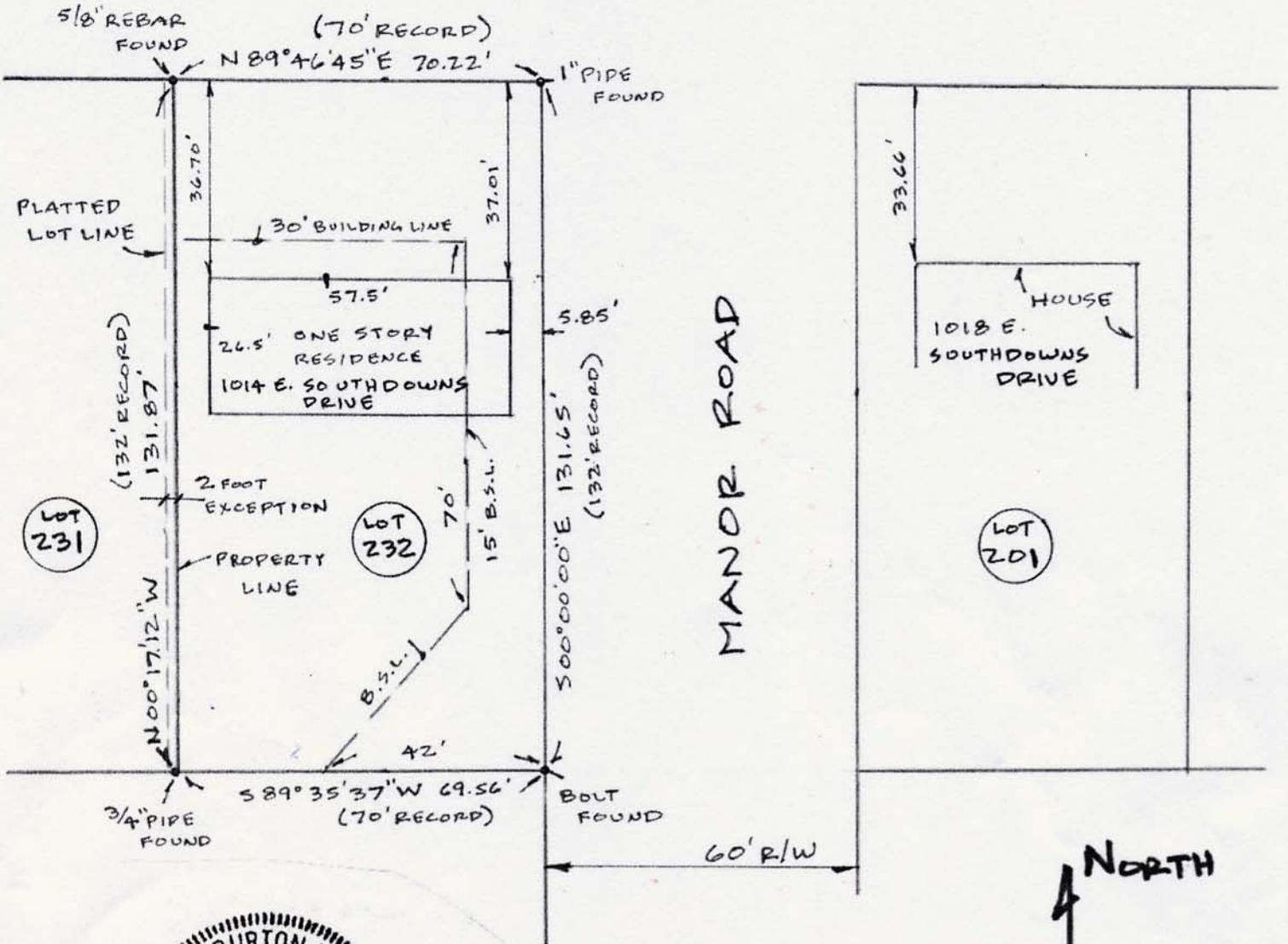


PROPOSED
B NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



PROPOSED
A PORCH PLAN
 SCALE: 1/8" = 1'-0"

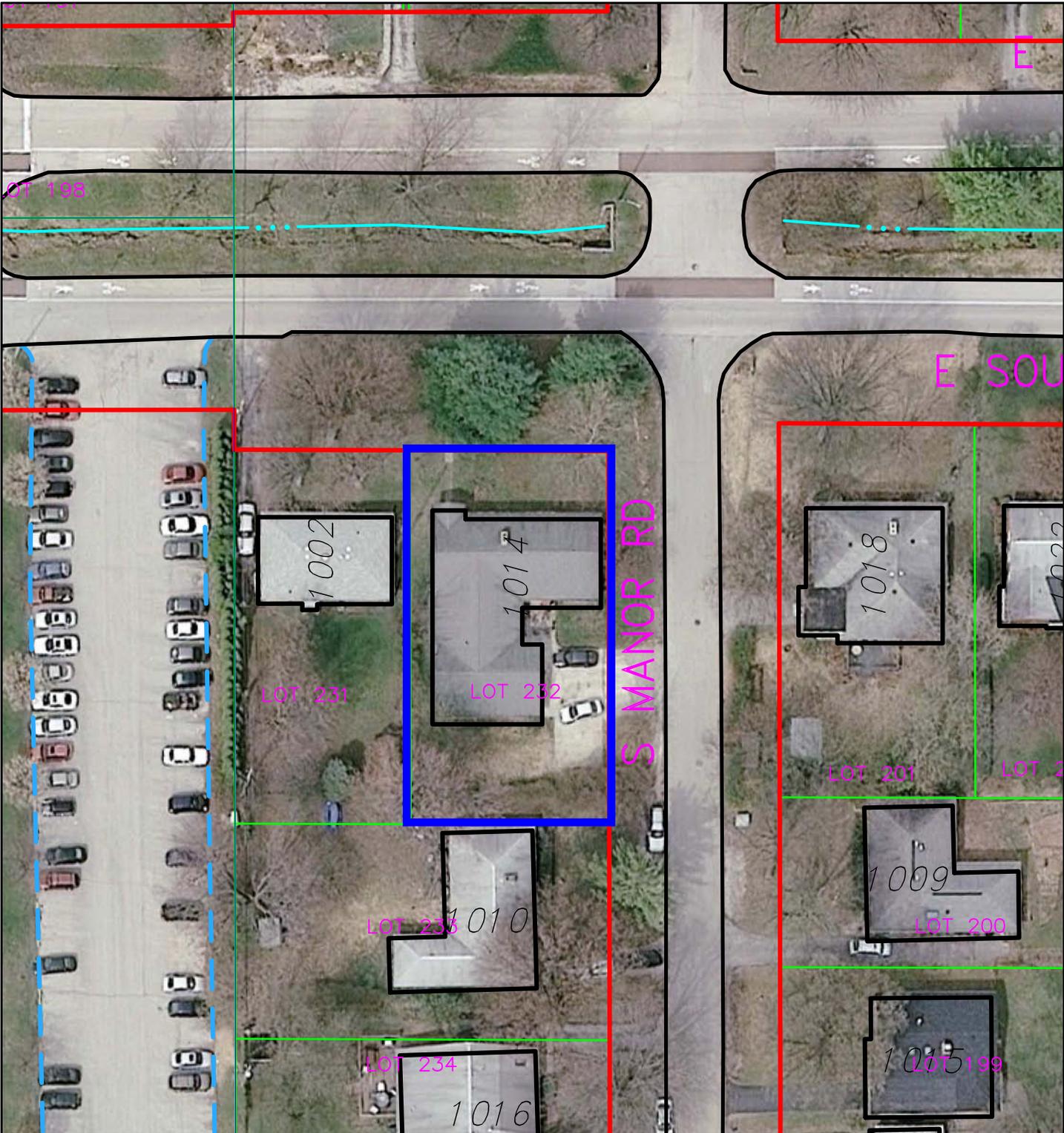
SOUTH DOWNS DRIVE
130' R/W



KEVIN B. POTTER, P.E.
924 West 17th Street, #5
Bloomington, IN 47404
Phone (812) 331-7981

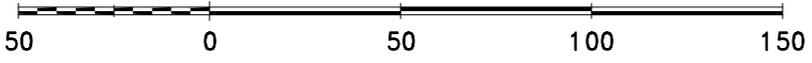
NORTH
↑
1" = 30 FT
B.S.L. - BUILDING
SETBACK LINE

V-42-11
Site Survey



V-42-11
2010 Aerial Photo

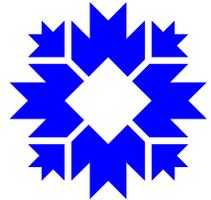
By: roachja
12 Oct 11



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 50'