

# CITY OF BLOOMINGTON



February 23, 2023 @ 5:30 p.m.  
City Hall, 401 N. Morton Street  
Common Council Chamber, Room #115

<https://bloomington.zoom.us/j/84646042005?pwd=bWxza0VHM2F1UlpyVXkxWDJGamqrQT09>

Meeting ID: 846 4604 2005

Passcode: 708458

**CITY OF BLOOMINGTON  
BOARD OF ZONING APPEALS (Hybrid Meeting)**

City Hall, 401 N. Morton Street  
Common Council Chambers, Room #115 and via Zoom

February 23, 2023 at 5:30 p.m.

❖ **Virtual Meeting:**

<https://bloomington.zoom.us/j/84646042005?pwd=bWxzZa0VHM2F1UlpyVXkxWDJGamqrQT09>

Meeting ID: 846 4604 2005

Passcode: 708458

Petition Map: <https://arcg.is/0ry5HO1>

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**ROLL CALL**

**APPROVAL OF MINUTES:** August 25, 2022

**PETITIONS CONTINUED TO:** March 23, 2023

- AA-17-22      **Joe Kemp Construction, LLC & Blackwell Construction, Inc.**  
Summit Woods (Sudbury Farm Parcel O) W. Ezekiel Dr.  
Parcel(s): 53-08-07-400-008.002-009, 53-08-07-400-008.004-009...  
Request: Administrative Appeal of the Notice of Violation (NOV) issued  
March 25, 2022.  
*Case Manager: Jackie Scanlan*
- V-53-22      **Lisa-Marie Napoli**  
405 N Oak St  
Parcel: 53-05-32-403-032.000-005  
Request: Variance from attached front loading garage or carport setbacks in the  
R3 zoning district to allow for a carport 4 feet forward of the front building wall.  
*Case Manager: Karina Pazos*

**\*\*Next Meeting: March 23, 2023**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or e-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).*

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**PETITIONS:**

- CU/V-22-22    **Mark Figg**  
2304 N. Martha St.  
Parcel(s): 53-05-28-203-044.000-005  
Request: Conditional use approval for a 'dwelling, duplex' and a variance from rear yard setback standards in the Residential Medium Lot (R2) zoning district.  
Case Manager: Karina Pazos
- AA-51-22    **Joseph B Davis**  
530 S Washington St  
Parcel: 53-08-04-214-018.00-009  
Request: Administrative Appeal of the Notice of Violation warning letter issued October 20, 2022  
Case Manager: Gabriel Holbrow
- V-52-22    **Omega Master LLC**  
626 N. College Ave.  
Parcel(s): 53-05-33-206-031.000-005  
Request: Variance for use-specific standards for 'dwelling, multifamily' to allow for a dwelling unit within the first 20 feet in the ground floor of the building in the Mixed-Use Downtown zoning district with Downtown Gateway character overlay (MD-DG).  
Case Manager: Karina Pazos

**\*\*Next Meeting: March 23, 2023**

**Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or e-mail human.rights@bloomington.in.gov.**

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**LOCATION: 2304 N Martha Street**

**CASE#: CU/V-22-22**  
**DATE: February 23, 2023**

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**PETITIONER:** Mark Figg  
 PO Box 1785  
 Bloomington, IN 47402

**CONSULTANT:** Matt Ellenwood, Matte Black Architecture  
 2021 E Wexley Rd  
 Bloomington, IN 47401

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**REQUEST:** The petitioner is requesting Conditional Use approval for a ‘dwelling, duplex,’ a variance from the rear setback standards, and a variance from buffer yard standards in the Residential Medium Lot (R2) zoning district.

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**REPORT:** The property is located at 2304 N Martha Street and is currently zoned Residential Medium Lot (R2). The properties to the north, south and east are also zoned R2. The properties to the west are zoned Mixed-Use Corridor (MC). The property is currently vacant except for a shed structure and parking that is encroaching from the adjacent lot to the west of this property, which is owned by the same owner as this property, which is proposed to be removed with this development.

The petitioner is proposing a 1-story duplex with each dwelling unit to contain three bedrooms. ‘Dwelling, duplex’ is listed as a conditional use in the R2 zoning district and the petitioner is therefore requesting conditional use approval to allow for this dwelling type. The petitioner held a neighborhood meeting on May 26, 2022 where there was a concern about parking and the limited space for on-street parking currently along Martha Street. To address this concern, the petitioner has proposed to install a driveway along the eastern side of the lot that will extend to the rear of the lot and provide four parking spaces within a detached garage. Staff received a letter of remonstrance in which concern that the development on this dead-end street will cause more on-street parking despite the fact that this street is codified as a no parking zone. Staff asked the Department of Public Works (DPW) for history of sanitation vehicle access on this street. DPW confirmed that the narrow width of the street makes it difficult for sanitation truck access. Extending the street is not required by the UDO and there may not even be a benefit in extending this street because it would still not address the narrow street width that impedes the ability for large vehicles to turn around on the street.

In addition to conditional use approval, the petitioner is requesting two variances to develop the 1-story duplex as proposed. The first variance request is from rear setback standards. The R2 zoning district calls for a minimum of 25 feet for the rear setback. The west lot line protrudes into the rear of the property for approximately 30 feet before extending outward from the rear of the building, creating a backwards L-shape along the northwest corner of the lot. Due to this lot corner condition, the proposed development does not meet the rear setbacks for that portion of the rear lot line. The second variance request is from buffer yard standards. The UDO calls for a Type 3 buffer yard when a duplex use is developed adjacent to a Mixed-use commercial or institutional



use. Per the UDO, a Type 3 buffer yard requires 20 feet of minimum setback, which is in addition to the building setback, one deciduous tree every 20 linear feet, and either one evergreen tree every 10 linear feet; or a six-foot opaque fence; or a five-foot tall undulating berm planted with shrubs. Due to the size of the proposed duplex on this lot, the proposed development does not meet have enough space to incorporate a 20-foot buffer yard setback.

This property is in the Matlock Heights historic district and the petitioner received a Certificate of Appropriateness COA 23-06 at the February 9, 2023 Historic Preservation Commission meeting.

## CRITERIA AND FINDINGS FOR CONDITIONAL USE PERMIT

**20.06.040(d)(6)(B) General Compliance Criteria:** All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. *Compliance with this UDO*
- ii. *Compliance with Other Applicable Regulations*
- iii. *Compliance with Utility, Service, and Improvement Standards*
- iv. *Compliance with Prior Approvals*

**PROPOSED FINDING:** There are use-specific standards that apply to a duplex within the R2 district. In the R2 zoning district, each unit of a newly constructed duplex shall have a separate exterior entrance facing a public or private street. The design shall incorporate similar design elements as the majority of the existing dwelling structures on the block face. Additionally, no duplex dwelling structure shall contain more than six bedrooms, and each unit shall have separate utility meters. The proposed duplex structure meets the design requirements and the development standards in the UDO. The petition complies with other applicable regulations, utility, service, and improvement standards as required by the general compliance criteria. The design received a Certificate of Appropriateness from the Historic Preservation Commission. The petition request constitutes new construction, which requires full compliance with the following development standards in the Unified Development Ordinance.

### **Dimensional Standards:**

- **Setbacks:** The R2 zoning district has a front setback minimum of 15 feet, or the median front setback of abutting residential structures, whichever is less, a side setback minimum of eight feet for the first floor and 10 feet for each story above the ground floor, and a minimum rear setback of 25 feet. The proposed site plan does not meet the rear setback requirements. The petitioner is requesting a variance from the rear setback requirement as part of this petition. A condition has been added.
- **Height:** The maximum height in the R2 zoning district is 40 feet. The proposed building will be approximately 16 feet in height. The proposed building complies with the maximum height requirement.
- **Impervious Surface Coverage:** The maximum impervious surface coverage in the R2 zoning district is 40%. The proposal meets the impervious surface coverage requirement.

### **Access and Connectivity:**

Driveways and Access – The petitioner is proposing a 10-foot driveway that is less than the 18-foot maximum width for duplex uses. Martha Street is a dead-end street that ends immediately west of the proposed drive entrance. Concerns that developing this lot will add more vehicles parked on the street, despite this street being codified as a no parking zone with existing no-parking signs present, have been expressed due to the narrow width of the street that impedes sanitation or fire trucks the ability to turn around at the end of the street. Extending Martha Street will not improve the access for sanitation and fire trucks because it will not increase the width of the street.

**Landscape, Buffering, and Fences:**

Street Trees – On a Local street, if a tree plot is not available, then the street trees shall be planted within the front yard immediately adjacent to the street. A minimum of one canopy tree shall be planted per 40 feet of property that abuts a public right-of-way or 20 feet for small trees under overhead utility lines. The spacing between adjacent street trees shall be no less than 10 feet and no more than 40 feet. The proposal meets this standard.

Buffer Yards – A Type 3 buffer yard is required along the west side of the property between the proposed duplex and the commercial use to the west. The minimum setback for a Type 3 buffer yard is 20 feet and the buffer yard setback is measured from the property line along the boundary between the subject and adjoining properties and shall be provided in addition to the required building and parking setbacks required by the UDO. The petitioner is requesting a variance from these standards as part of this petition. A condition has been added.

**20.06.040(d)(6)(C) ADDITIONAL CRITERIA APPLICABLE TO CONDITIONAL USES**

**i. *Consistency with Comprehensive Plan and Other Applicable Plans***

*The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other applicable adopted plans and policies.*

**PROPOSED FINDING:** This proposal is in line with the goals of the Comprehensive Plan. The Comprehensive Plan identifies this area as “Neighborhood Residential” land use category. The Comprehensive Plan states that Neighborhood Residential districts contain a mixture of densities, housing types and a curvilinear street network of local low traffic volume streets. This property is located on a dead-end street that is shared by a few single-family houses, an elementary school and place of worship. The proposal pays attention to how it interacts with adjacent properties and adds two dwelling units with the maximum number of off-street parking that is allowed. Additionally more housing near the University is desired, and this proposal adds two units through development of a vacant lot.

**ii. *Provides Adequate Public Services and Facilities***

*Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.*

**PROPOSED FINDING:** No problems with providing new utility service to this site are expected. There is no existing sidewalk along Martha Street but this street connects to an existing multi-use path infrastructure along the Indiana 45 Bypass that connects to bus lines off of the Walnut/College corridor and N Dunn Street. Developing the vacant lot with two dwelling units should not put undue strain on surrounding public services. The petitioner is required to hook each unit up to separate utility meters, and no issues have been identified.

**iii. *Minimizes or Mitigates Adverse Impacts***

1. *The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.*
2. *The proposed development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.*
3. *The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*
4. *The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.*

**PROPOSED FINDING:** There are no natural or scenic features that will be impacted. The building is in a local historic district. The creation of two 3-bedroom units is not expected to have any adverse impacts on surrounding properties. No nuisance regarding noise, smoke, odors, vibrations, lighting, or hours of operation is found. A pre-submittal neighborhood meeting was required as part of the filing process for this conditional use approval. During the meeting, there were concerns about the duplex adding parked vehicles on the dead-end street, and the petitioner is proposing to build a driveway along the east side of the lot that leads into an 800-square foot 4-car detached garage, which is the maximum allowed parking for this dwelling type, to mitigate the need for residents or visitors to park on the street.

**iv. *Rational Phasing Plan***

*If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.*

**PROPOSED FINDING:** No phasing is proposed with this plan.

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**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCES**

**20.06.080(b)(3)(E)(i) Standards for Granting Variances from Development Standards:** Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

**VARIANCE FROM REAR SETBACK STANDARDS**

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

**PROPOSED FINDING:** No injury to the public health, safety, morals, and general welfare is found as a result of this petition. The portion of the rear lot line that does not meet the rear setback is minimal compared to the rest of the rear lot line that does meet the rear setback. The proposed rear building wall is 12 feet from the backwards L-shape northwest corner of the lot and is screened by a patio, yard, and fence.

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

**PROPOSED FINDING:** No adverse effect to the use or value of the adjacent properties is found as a result of this petition. The lot adjacent to the rear of this lot is a commercial use and in this instance would impact that property and not the adjacent residential properties. The petitioner has communicated with the HPC and mailed notice of a public hearing to adjacent property owners. Staff received a letter from an adjacent property owner stating concern that developing this lot into a duplex would add strain to the on-street parking along Martha St., which is not relevant to this variance request. While this street has been codified as a no parking zone, the petitioner is proposing a 4-car detached parking garage in the rear of the lot behind the duplex to address parking concerns.

- (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 questions; that the development standards variance will relieve the practical difficulties.*

**PROPOSED FINDING:** Practical difficulty is found in the odd shape of the lot along the northwest corner because the placement of the structure is consistent with a typical structure in the area. The width of the two single-family structures to the east have a similar footprint, if not larger than this proposed duplex structure.

## **VARIANCE FROM BUFFER YARD STANDARDS**

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

**PROPOSED FINDING:** No injury to the public health, safety, morals, and general welfare is found as a result of this petition. A buffer yard is proposed to be incorporated during future redevelopment of the adjacent mixed-use commercial lot to the west.

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

**PROPOSED FINDING:** No adverse effect to the use or value of the adjacent properties is

found as a result of this petition. The lot adjacent to the rear of this lot is a commercial use and in this instance would impact that property and not the adjacent residential properties. The proposed use is of less intensity than any likely commercial use to the west. Only the property to the west is affected by the buffer yard requirement, and that property will be required to add a buffer yard when it develops, creating separation between the two uses.

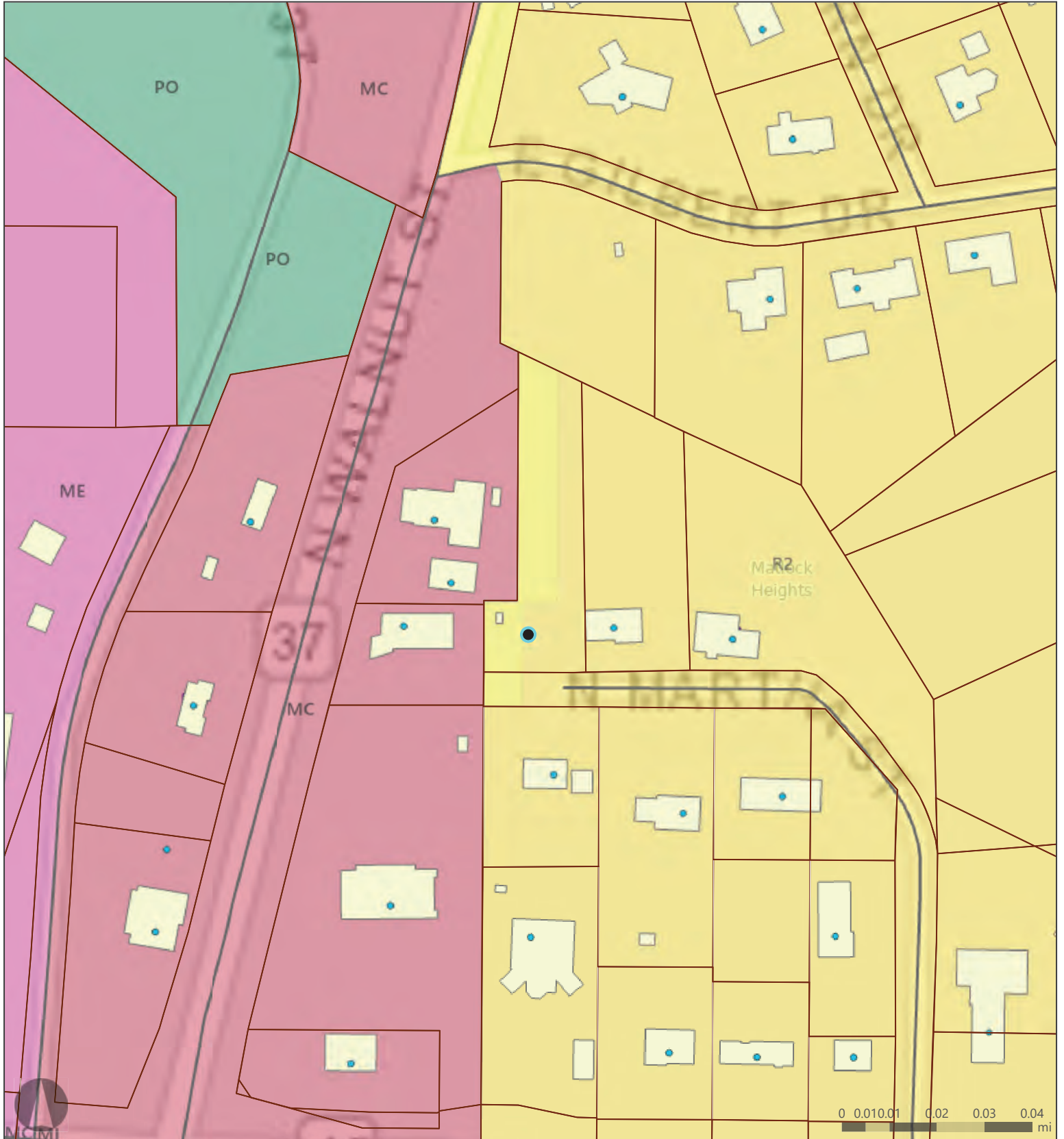
*(3) The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties.*

**PROPOSED FINDING:** Practical difficulty is found in the lot size and width. Developing this lot with any other residential use would also have difficulty in achieving a 20-foot buffer yard setback in addition to an 8-foot side setback and a 25-foot rear setback. Thus the odd shape of the lot along the northwest corner creates a practical difficulty in meeting the buffer yard standards.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU/V-22-22 with the following conditions:

1. This conditional use and variances are limited to two 3-bedroom units, as proposed in the filing documents of this petition. The approval is for the design shown and discussed in the packet and with the Historic Preservation Commission.
2. A building permit is required before construction can begin.
3. The petitioner must consult the City's Urban Forester about the species of UDO-approved street trees which can be utilized for this development.



Map Legend

Parcels

Address Points

Rating

Notable

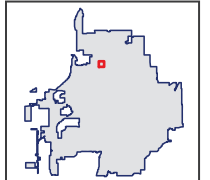
Contributing

Non-Contributing

Roads

Neighborhood

Matlock Heights

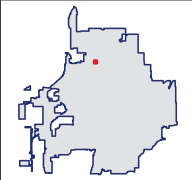






**Map Legend**

- |                |               |             |                        |                   |
|----------------|---------------|-------------|------------------------|-------------------|
| Parcels        | <b>Rating</b> | CBU Manhole | Laterals - Active      | CBU Culvert Inlet |
| Address Points | Contributing  | Cleanout    | CBU Gravity            |                   |
| Roads          | Roads         | Grease Trap | CBU Curb or Flat Inlet |                   |





# Petitioner's Statement



## 2304 N MARTHA ST DUPLEX

Attention: City of Bloomington Board of Zoning Appeals

Petitioner: Mark Figg

### Property Description

The **.52 acre** property at 2304 N Martha St is currently vacant other than a small storage shed that will be removed prior to the new proposed development. It is bounded partially by N Martha St to the south, a single-family residence to the east, a vacant property to the north and an adjoining commercial property (auto body shop) to the west. The property is designated **R2 (Residential)** under the current UDO but had been part of the larger property at 2330 N Walnut, which is MC (Mixed Commercial). The goal is to develop this property as its intended use, however, there are some challenges due to the unique configuration and adjacency to the commercial property.

### Project Description

The petitioner is proposing a new **1-story structure** that will include **2 – 3 bedroom/3 bath units**. The mid-century ranch design reflects the requirements of the Duplex section of the UDO (20.03.030.b.3.C) by incorporating separate exterior entrances that face the street and generally matching the roof pitch, front entry, front building setback and vehicle parking access of surrounding properties. New water service and sanitary connection will be coordinated with City Utilities along with electrical service (to be coordinated with Duke Engineering).

### Conditional Use & Variance Request

The petitioner is filing for a Conditional Use per the UDO requirements for duplexes in an R zone. The proposal meets all of those requirements as outlined in the UDO. Due to the odd "L" shape of the lot, the petitioner is also seeking a variance from the 25' rear setback at the east/west portion of the property near the front of the overall property that is adjacent to the side of 2330 N Walnut. That is a commercial property (MC zone) with 7' side and rear setbacks so our proposal meets that standard for compatibility. We are also requesting a variance from the required 20' buffer yard along the property line between us and 2330 N Walnut due to the narrow offset configuration of the property and the loss of potential buildable area the buffer yard would create. It would force us to consider a multi-story structure that we believe is less compatible with the residential neighborhood and wouldn't meet the intent of the duplex requirements. There is a proposed patio and fence beyond the structure to provide privacy and security for the duplex tenants. Those would meet the UDO requirements for height and material.

The hope is to begin construction in the spring of 2023 with completion by August 2023.

Thank you for your consideration of this petition.

A handwritten signature in black ink that reads "Matt Ellenwood".

Matt Ellenwood, AIA (on behalf of the petitioner)





PROPOSED SITE PLAN  
SCALE: 1" = 20'-0"

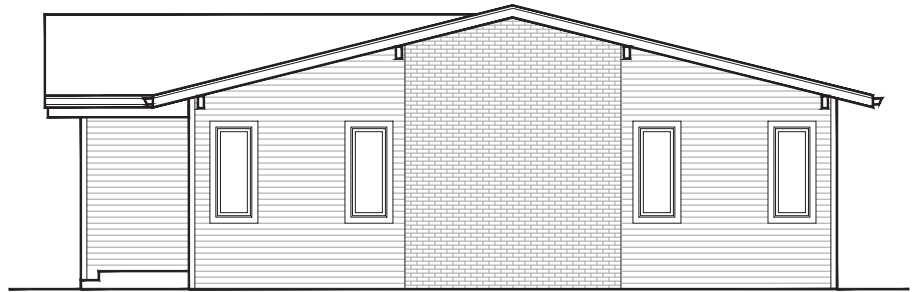
# 2304 N MARTHA STREET DUPLEX

**SITE INFORMATION**  
EXISTING AREA: 19,614 SF (0.45 ACRE)  
NEW BUILDING AREA: 3248 SF (TOTAL)  
OTHER IMPERVIOUS AREA: 2502 SF  
TOTAL IMPERVIOUS AREA: 5750 SF = 29%  
MAX IMPERVIOUS AREA: 7845 SF = 40%

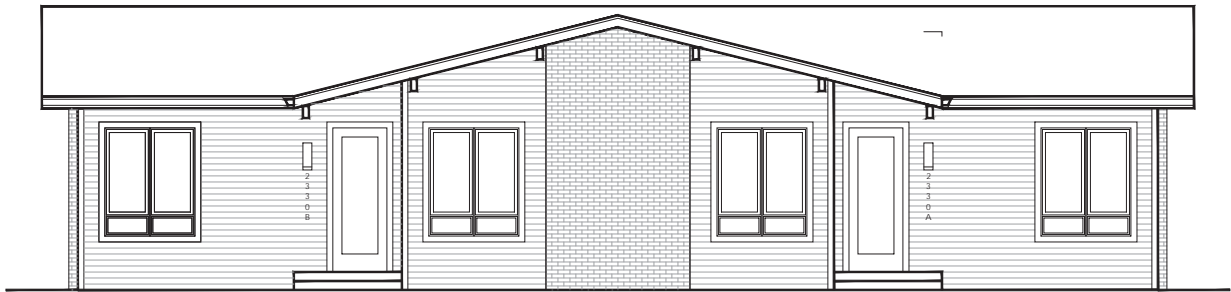
N MARTHA ST

02.16.2023

**MATTE  
BLACK  
ARCHITECTURE**



SIDE (EAST) ELEVATION  
SCALE: 3/16" = 1'-0"

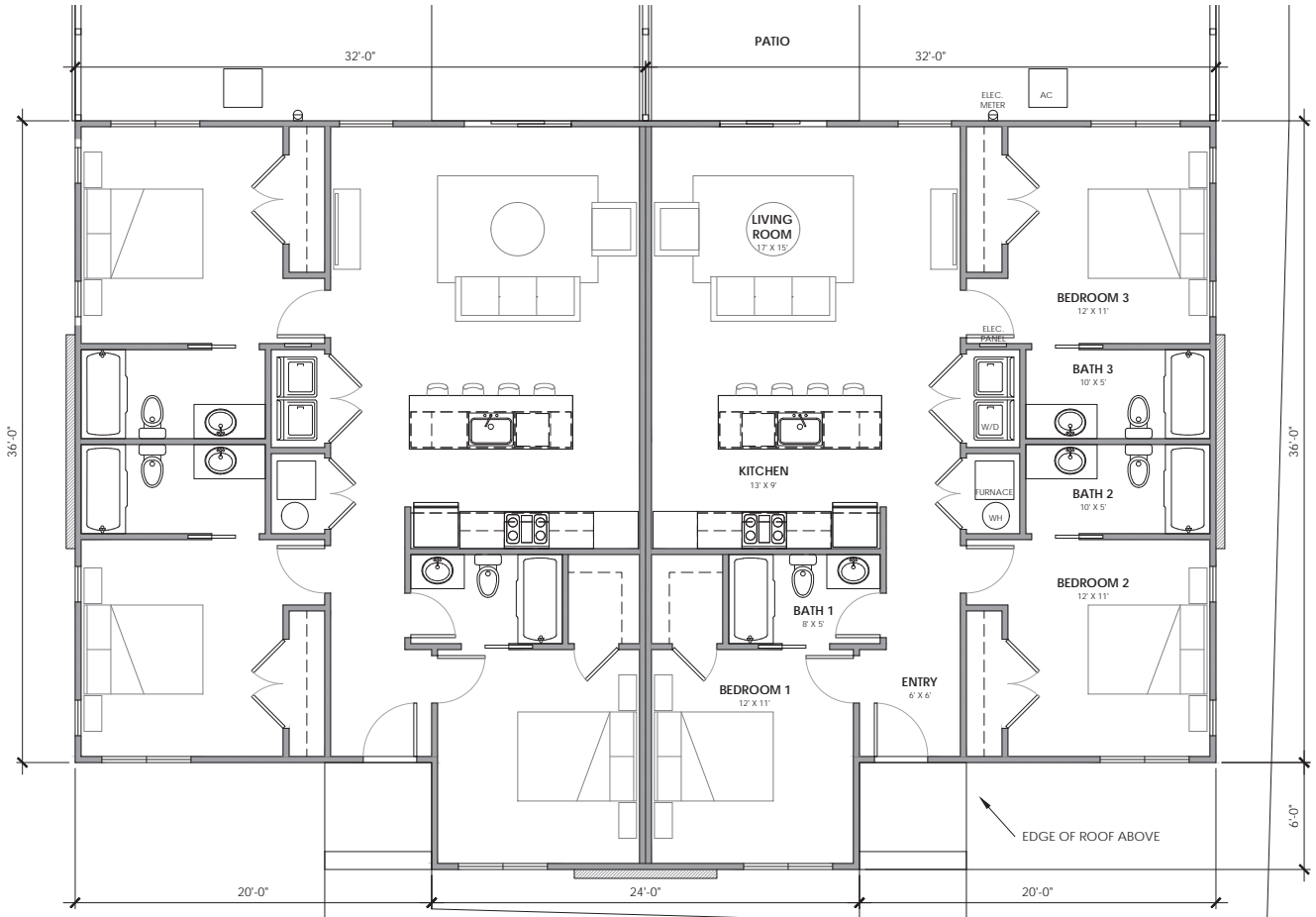


FRONT (SOUTH) ELEVATION  
SCALE: 3/16" = 1'-0"

2304 N MARTHA STREET DUPLEX

10.06.2022

MATTE  
BLACK  
ARCHIT  
ECTURE



2304 N MARTHA STREET DUPLEX

FIRST FLOOR PLAN  
SCALE: 3/16" = 1'-0"

10.06.2022





## Tim Lemper Comments on Figg Proposed Martha Street Duplex Project

**Summary:** In addition to the usual negative effects of high-occupancy rental housing in residential neighborhoods with single-family homes like the Martha Street neighborhood, the proposed duplex—located at the end of a short, narrow, dead-end street—poses an added risk of street parking that blocks residents, mail carriers, city garbage trucks, fire trucks, emergency vehicles, and others from accessing the houses on the street. The only way to avoid the problem is to require the proposed duplex property to include sufficient off-street parking for *at least* five vehicles, and to create a cul-de-sac at the end of the street to allow vehicles to turn around.

**Background:** The duplex site is located at the dead end of Martha Street, next to four single-family houses. Street parking is limited because the street curves along a steep ravine on one side and a ditch on the other side. There are no sidewalks. The road is narrow and dead ends at my driveway with no place to turn around (except my driveway). Garbage and delivery trucks must back down the street. When people park on both sides of the street, the street becomes impassable. On several occasions, parked cars have blocked me in and prevented mail delivery and trash collection. Fortunately, I did not need fire trucks or emergency vehicles at those times.

The city recently put “no parking” signs on one side of the street, which helps with parking but limits the available street parking. Despite this, the occupants of the rental property at the entrance to Martha Street continue to park on the street, even next to the “no parking” signs (see picture), because there are only three parking spaces on the property (and the city does not enforce the signs). There are three current student rentals in the neighborhood, all easily spotted by the presence of at least four (and often more) vehicles parked in their driveways, on the street, in their yards, or in the nearby church parking lot. The only reason that street parking is not currently an issue at the dead end of Martha Street is because the rental house at 2301 N. Martha St. has been largely unoccupied for more than a year, and it is a single-family home (not a duplex) with sufficient parking for four or more cars at times when it is occupied.



**The Problem:** The proposed duplex could house up to eight (8) residents on a lot with no street parking. If those eight residents are unrelated (e.g., college students), they are likely to drive their own cars—creating a demand for parking for up to eight cars. Even if Martha Street is extended along the front of the lot where the duplex is to be built, that would only provide additional street parking for *at most* three cars. If the duplex does not provide off-street parking for *at least* five cars, it is foreseeable (perhaps inevitable) that residents and their guests will park on both sides of the street (particularly once they realize that the city does not enforce the “no parking” signs) and block the street.

**Possible Solutions:** The way to prevent these problems is to require the duplex to include sufficient off-street parking for a duplex (*at least* five vehicles) and to create a cul-de-sac at the end of the street to allow vehicles to turn around. It is not a solution to rely on the developer’s statements that he “hopes” or “intends” to rent only to families; nothing prevents him from renting to eight unrelated occupants (mostly likely college students, given its proximity to IU) and it is the most profitable option.



**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**Location: 530 South Washington Street**

**CASE #: AA-51-22**  
**DATE: February 23, 2023**

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**PETITIONER:** Joseph B. Davis  
530 South Washington Street  
Bloomington, IN

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**REQUEST:** The petitioner is requesting an administrative appeal of a notice of violation warning letter issued October 20, 2022.

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**REPORT:**

Record

Over the period from July 2021 through September 2022, the Planning and Transportation Department (“Planning”) received multiple complaints of outdoor storage or outdoor garbage at 530 South Washington Street (“Property”). Planning issued a Notice of Violation (NOV) warning on August 24, 2021 for violation of use-specific standards for outdoor storage in the City of Bloomington Unified Development Ordinance (“UDO”). The owner of the Property, Joseph Davis (“Appellant”), contacted Planning and took some steps to come into compliance after receiving the 2021 NOV warning.

Following further complaints in August 2022 and observations of the property by Planning staff in August and September 2022, Planning issued another NOV warning on October 20, 2022 for violations of UDO standards for outdoor storage and for parking on an unimproved surface. The Appellant responded within five days of the warning letter expressing an intent to file an administrative appeal, and on November 2, 2022 formally filed an administrative appeal of the NOV warning.

Separately from the UDO violations that Planning staff identified on the Property, the Housing and Neighborhood Development Department (“HAND”) also issued multiple Notices of Violation in August, September, and October, 2022 for outdoor garbage on the Property. Because the HAND NOVs are not for violations of the UDO, they are outside the scope of this administrative appeal before the Board of Zoning Appeals.

The documents in the record of the case are as follows:

- NOV warning letter, August 24, 2021, including photos (2) from staff observation on August 10, 2021
- Photos (4) from staff observations on February 17 and March 31, 2022 documenting progress toward compliance
- NOV warning letter, October 20, 2022, including photos (4) from staff observations on August 8, August 9, and September 20, 2022

Analysis

The first UDO violation identified in the NOV warning issued October 20, 2022 is for outdoor storage.

According to UDO Section 20.03.030(e)(1) [Use-Specific Standards; Employment Uses; Storage, Outdoor];

(C) Prohibited Storage Materials

In all zoning districts where this use is allowed, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.

“Outdoor storage” is defined in UDO Section 20.07.010 [Definitions; Defined Words] as:

Storage, Outdoor

The storage of any material outside of an enclosed building for a period greater than 24 hours, including but not limited to storage of items awaiting processing or repair. This use does not include “Vehicle Sales or Rental” or accessory “Outdoor Retail and Display” uses.

The Property is located in the Residential Urban Lot (R4) zoning district, where according to UDO Table 03-1 [Allowed Use Table], “Storage, Outdoor” is not an allowed use.

In the NOV warning issued October 20, 2022, Planning staff identified that materials observed outdoors on the Property, as shown in photographs in the case record, meet the UDO definition of outdoor storage.

The Appellant has stated that the materials observed outdoors on the Property are part of lawful construction activity occurring on the property. Neither NOV warning, issued in 2021 or 2022, identified lawful construction activity occurring on the property. Furthermore, the UDO does not contain any exception from outdoor storage standards for construction activities. Relevantly, the UDO’s definition of “construction support activities” describes a “structure” used for activities including indoor “equipment storage”.

According to UDO Section 20.07.010 [Definitions; Defined Words];

Construction Support Activities

A temporary structure used as an office for contractors and builders during construction located at a construction site that serves only as an office until the given construction work is completed. This includes contractor's offices, equipment storage, and portable lavatories.



The second UDO violation identified in the NOV warning issued October 20, 2022 is for parking on an unimproved surface.

According to UDO Section 20.03.030(e)(1) [Use-Specific Standards; Employment Uses; Storage, Outdoor];

(A) Parking of Vehicles

All outdoor parking of vehicles in all zoning districts shall comply with the following standards:

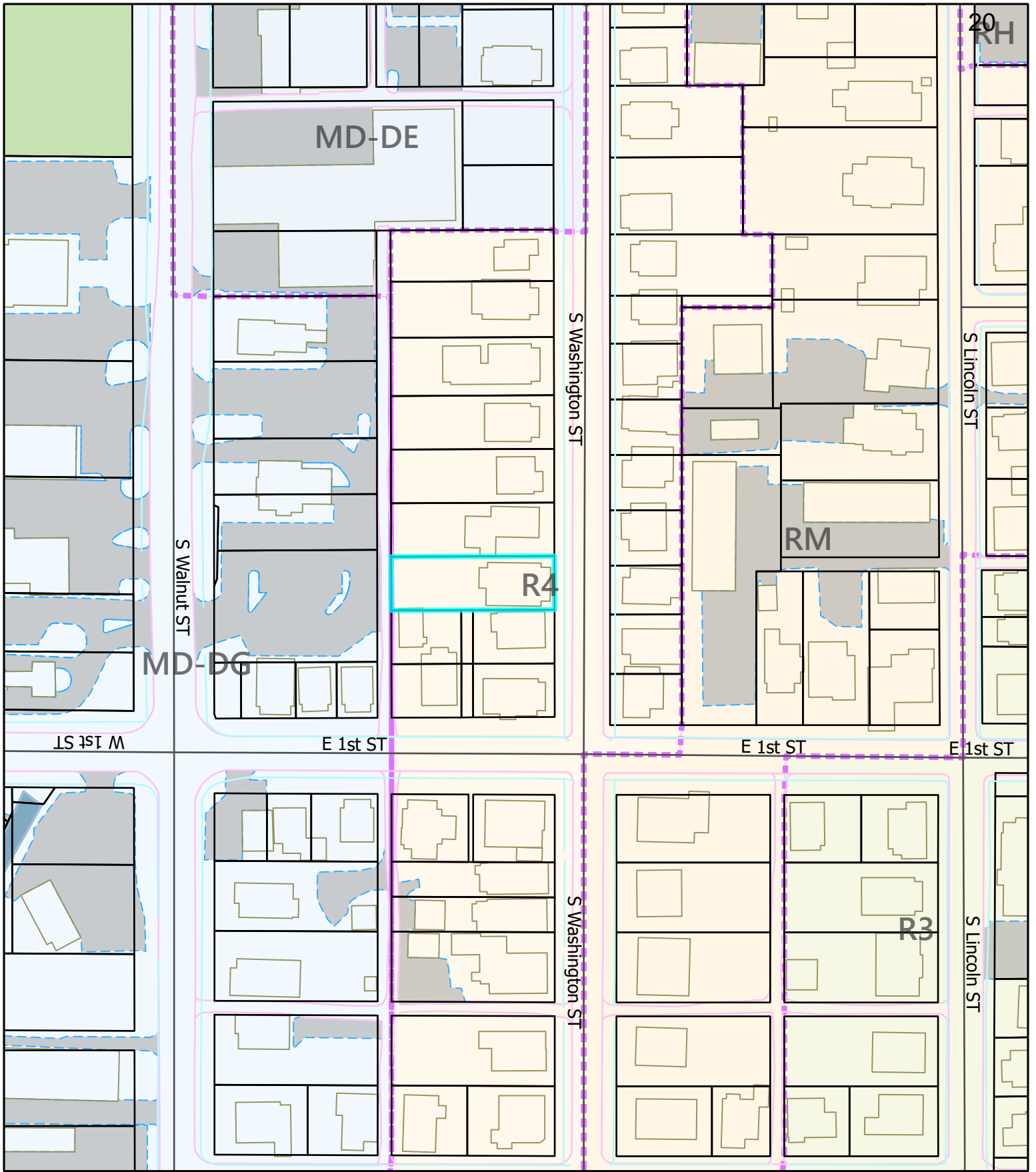
- i. Vehicles and trailers shall not be stored or parked on an unimproved surface.
- ii. Stored or parked vehicles shall not block, impede, or otherwise encroach upon a sidewalk.
- iii. Stored or parked vehicles shall not be used for other purposes, including, but not limited to, living quarters, or storage of materials.

In the NOV warning issued October 20, 2022, Planning staff identified that vehicles at the Property were parking on unimproved surfaces, as shown in photographs in the case record.

The Appellant has stated verbally to Planning staff that he plans to put down gravel to improve the parking surface and/or move vehicles to comply. Because enforcement has been stayed while this administrative appeal is on-going, staff have not yet confirmed whether the Property has been brought into compliance with parking surface standards after October 20, 2022. In any case, compliance after October would not affect whether the Property was in compliance when the NOV warning was issued.

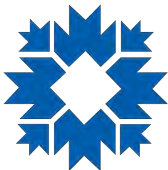
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**RECOMMENDATION:** In accordance with UDO Section 20.06.080(d)(3)(B)(ii), because this petition is an administrative appeal, the staff report shall not make a formal recommendation.



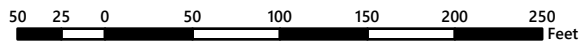
Planning and  
Transportation  
Department

**City of  
Bloomington**



City of Bloomington, IN

530 South Washington Street



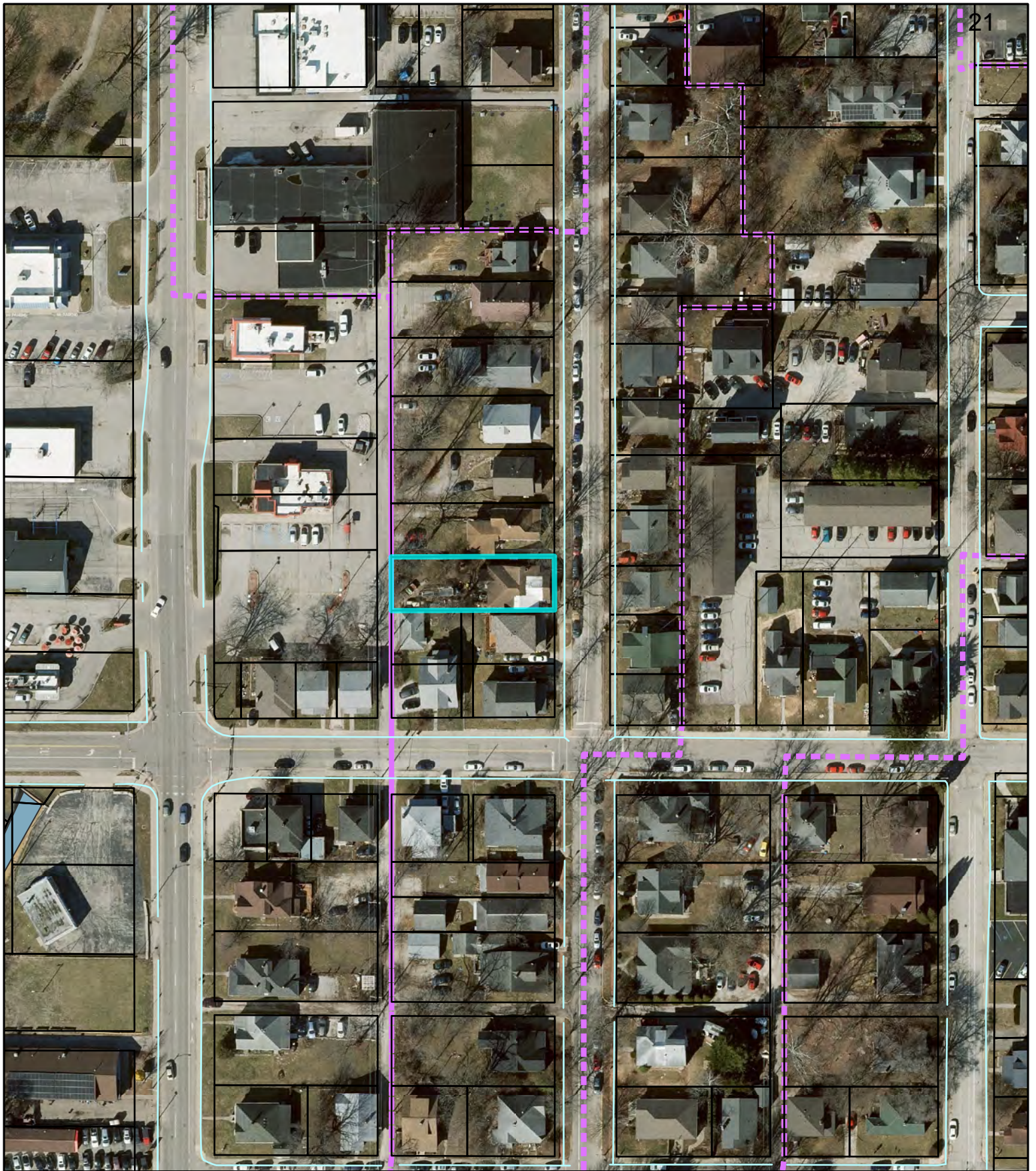
For use as map information only, information is NOT warranted.

Produced: 12/23/2022



Layout: Location Map\_8.5x11  
Project: AA-51-22, 530 S Washington St





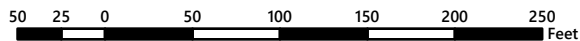
Planning and  
Transportation  
Department

**City of  
Bloomington**



City of Bloomington, IN

530 South Washington Street



For use as map information only, information is NOT warranted.

Produced: 12/23/2022



Layout: Location Map\_8.5x11  
Project: AA-51-22, 530 S Washington St





**City of Bloomington**  
**Planning and Transportation Department**

August 24, 2021

Joseph Davis  
530 S. Washington St.  
Bloomington, IN 47401

**Re: Notice of Violation (warning)**  
Use-Specific Standards

Dear Sir or Madam:

This Notice of Violation (NOV) serves as a formal warning of non-compliance with Unified Development Ordinance (UDO) **Section 20.03.030 [Use-Specific Standards]** at 530 S. Washington Street. Records show that you are the owner of this property.

The City of Bloomington Housing and Neighborhood Development Department received a complaint of a potential unregistered rental and clutter in the yard at 530 S. Washington on 07/26/2021. On 08/10/2021 staff observed outdoor storage of materials at 530 S. Washington Street. Specifically, staff observed outdoor storage of building materials on the porch and potential storage on the south side of the house. This property is located in the "R4 - Residential Urban" zoning district.

According to Unified Development Ordinance (UDO) **Section 20.03.030 [Use-Specific Standards]**;

(C) Prohibited Storage Materials

In all zoning districts where this use is allowed, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.

According to Unified Development Ordinance (UDO) **Section 20.07.010 [Definitions; Defined Words]**;

Storage, Outdoor

The storage of any material outside of an enclosed building for a period greater than 24 hours, including but not limited to storage of items awaiting processing or repair. This use does not include "Vehicle Sales or Rental" or accessory "Outdoor Retail and Display" uses.

In accordance with UDO Section 20.06, a violation of this nature may result in a one-hundred dollar (\$100) fine for Failure to Comply with Development Standards. Each day a violation is allowed to continue is considered a distinct and separate violation. Subsequent violations are twice the previous fine, up to a maximum daily fine of seven thousand five hundred dollars (\$7,500).

**No fines have been issued at this time. You have the following options to remedy the situation.**

1. Contact a planner to discuss whether or not the home is a rental and any permits that may be needed on or before 09/07/2021 **AND**;
2. Remove materials from the porch and yard on or before 09/07/2021 **OR**;

3. Make a phone appointment with a Planner to discuss filing a variance request. The appointment must be on or before 09/07/2021 for the 10/21/2021 Board of Zoning Appeals hearing.

If you dispute the City's assertion that the property is in violation of the above referenced sections of the Unified Development Ordinance, you may file an appeal with the City's Board of Zoning Appeals. Said appeal shall be filed with the Planning and Transportation Department within five (5) days of your receipt of this Notice of Violation and shall conform to the requirements of UDO Section 20.06.080(d).

Failure to resolve this violation may result in further enforcement action. If a fine is issued, the final fine amount shall be paid to the City of Bloomington. All fines may be contested in the Monroe County Circuit Courts.

Please contact the Planning and Transportation Department at [planning@bloomington.in.gov](mailto:planning@bloomington.in.gov) or 812-349-3423 with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Carter", written in a cursive style.

Elizabeth Carter  
Senior Zoning Compliance Planner, Planning and Transportation

Enclosure: (2)

CC: Scott Robinson, AICP  
Jackie Scanlan, AICP



Photo 1: Building materials stored on the porch at 530 S. Washington Street.





Photo 2: Storage of materials on the south side of 530 S. Washington Street.





*Photo from staff observation of 530 South Washington Street on 2/17/2022 documenting progress toward compliance.*



*Photo from staff observation of 530 South Washington Street on 2/17/2022 documenting progress toward compliance.*





*Photo from staff observation of 530 South Washington Street on 3/31/2022 documenting progress toward compliance.*



*Photo from staff observation of 530 South Washington Street on 3/31/2022 documenting progress toward compliance.*





**City of Bloomington**  
**Planning and Transportation Department**

October 20, 2022

Joseph Davis  
 530 S. Washington St.  
 Bloomington, IN 47401

**Re: Notice of Violation (warning)**  
 Illegal Land Use, Parking on Unimproved Surface

Dear Sir or Madam:

This Notice of Violation (NOV) serves as a formal warning of non-compliance with Unified Development Ordinance (UDO) **Section 20.03.020 [Use Regulations; Allowed Use Table]** and **Section 20.03.030 [Use-Specific Standards]** at 530 S. Washington Street. Records show that you are the owner of this property.

The City of Bloomington Housing and Neighborhood Development (HAND) Department contacted the City of Bloomington Planning and Transportation Department regarding outdoor storage and parking on unimproved surface violations at 530 S. Washington on 08/08/2022. Staff from HAND and Planning and Transportation met with Mr. Davis on 08/11/2022 to discuss options for bringing the property into compliance with several sections of the Bloomington Municipal Code. The Planning and Transportation Department staff have not observed substantive change in the violations staff discussed with Mr. Davis on 08/11/2022. On 08/11/2022, 09/08/2022, and 09/20/2022 staff observed outdoor storage of materials and parking on unimproved surface at 530 S. Washington Street. This property is located in the "R4 - Residential Urban" zoning district.

A NOV Warning had previously been issued to this property for Outdoor Storage violations on August 24, 2021. Mr. Davis contacted the Department and took some steps to come into compliance after receiving the 2021 NOV Warning.

According to the Allowed Use Table, attached, which is found in Unified Development Ordinance (UDO) **Section 20.03.020 [Use Regulations; Allowed Use Table]**, the use of "Outdoor Storage" is not permitted in the R4 district.

According to Unified Development Ordinance (UDO) **Section 20.03.030 [Use-Specific Standards];**

(C) Prohibited Storage Materials

In all zoning districts where this use is allowed, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.

According to Unified Development Ordinance (UDO) **Section 20.07.010 [Definitions; Defined Words];**  
 Storage, Outdoor

The storage of any material outside of an enclosed building for a period greater than 24 hours, including but not limited to storage of items awaiting processing or repair. This use does not include "Vehicle Sales or Rental" or accessory "Outdoor Retail and Display" uses.

According to Unified Development Ordinance (UDO) **Section 20.03.030(e) [Use-Specific Standards; Employment Uses];**

(1) Storage, Outdoor



## (A) Parking of Vehicles

All outdoor parking of vehicles in all zoning districts shall comply with the following standards:

- i. Vehicles and trailers shall not be stored or parked on an unimproved surface.
- ii. Stored or parked vehicles shall not block, impede, or otherwise encroach upon a sidewalk.
- iii. Stored or parked vehicles shall not be used for other purposes, including, but not limited to, living quarters, or storage of materials.

In accordance with UDO Section 20.06, a violation of this nature may result in a two-thousand five-hundred dollar (\$2,500) fine for Illegal Land Use and a fifty dollar (\$50) fine for Parking on Unimproved Surface. Each day a violation is allowed to continue is considered a distinct and separate violation. Subsequent violations are twice the previous fine, up to a maximum daily fine of seven thousand five hundred dollars (\$7,500).

**No fines have been issued at this time. You have the following options to remedy the situation.**

1. Cease parking vehicles on unimproved surface (grass) on or before 11/03/2022 **AND**;
2. Remove materials being stored outdoors which are not contained within a structure on or before 11/03/2022 **OR**;
3. Make a phone appointment with a Planner to occur on or before 11/03/2022 to discuss filing a variance request, **AND** file for a variance by 11/17/2022 for the 12/15/2022 Board of Zoning Appeals hearing. **It is very unlikely that you would receive a variance approval for parking on an unimproved surface or outdoor storage.**

If you dispute the City's assertion that the property is in violation of the above referenced sections of the Unified Development Ordinance, you may file an appeal with the City's Board of Zoning Appeals. Said appeal shall be filed with the Planning and Transportation Department within five (5) days of your receipt of this Notice of Violation and shall conform to the requirements of UDO Section 20.06.080(d).

Failure to resolve this violation may result in further enforcement action. If a fine is issued, the final fine amount shall be paid to the City of Bloomington. All fines may be contested in the Mouroe County Circuit Courts.

Please contact the Planning and Transportation Department at [planning@bloomington.in.gov](mailto:planning@bloomington.in.gov) or 812-349-3423 with any questions or concerns.

Sincerely,



Elizabeth Carter  
Senior Zoning Compliance Planner, Planning and Transportation

CC: Scott Robinson, AICP, Director, Planning and Transportation  
Beth Rosenbarger, AICP, Assistant Director, Planning and Transportation Department  
Jackie Scanlan, AICP, Development Services Manager, Planning and Transportation

Enclosure: (5) 4 Photographs, 1 Use Table



Photo 1: Building materials stored outdoors at 530 S. Washington Street on 08/09/2022.



Photo 2: Storage of outdoor materials at 530 S. Washington Street on 08/09/2022.





Photo 3: Outdoor storage of materials and parking on unimproved surface at 530 S. Washington St on 08/08/2022.



Photo 4: Outdoor storage of materials and parking on unimproved surface at 530 S. Washington St. on 09/20/2022.



## 20.03.020 Allowed Use Table

Table 03-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential							Mixed-Use							Non-Residential		Use-Specific Standards	
	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM		PO
<b>RESIDENTIAL USES</b>																		
<b>Household Living</b>																		
Dwelling, single-family (detached)	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
Dwelling, single-family (attached)		P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
Dwelling, duplex	C*	C*	C*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
Dwelling, triplex				C*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(4)
Dwelling, fourplex				C*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily				C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work				C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development	C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*										20.03.030(b)(8)
Manufactured home park								P*										20.03.030(b)(9)
<b>Group Living</b>																		
Assisted living facility				C	P	P			C	P	P		P	P	P			
Continuing care retirement facility				C	P	P			C	P	P		P	P	P			
Fraternity or sorority house								P*					P*					20.03.030(b)(10)
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(11)
Group care facility, FHAA large				P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
Nursing or convalescent home				C	P	P			C	P	P	P	P	P	P			
Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(11)
Opioid rehabilitation home, large				P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
Residential rooming house					P*	P*		P	P*	P	P	C*						20.03.030(b)(12)
Student housing or dormitory					C*	P*		P*	C*	P*	P*		P*	C*				20.03.030(b)(13)
Supportive housing, small						C			C	C	C		C	C	C			
Supportive housing, large										C	C		C	C	C			
<b>PUBLIC, INSTITUTIONAL, AND CIVIC USES</b>																		
<b>Community and Cultural Facilities</b>																		
Art gallery, museum, or library				C*	C	C			P	P	P		P	P				20.03.030(c)(1)
Cemetery or mausoleum													P					



**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential							Mixed-Use							Non-Residential		Use-Specific Standards	
	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM		PO
Club or lodge										P	P			P				
Community center		C	C	C	P*	P*			P	P	P		P	P				20.03.030(c)(2)
Conference or convention center											P	P	P	P				
Crematory											C		C			C		
Day-care center, adult or child	A*	A*	A*	A*	C*	C*	C*	P*	P*	P*	P*	C*	C*	P*	P*	A*		20.03.030(c)(3)
Government service facility										P	P	P	P	P		P		
Jail or detention facility													C*			C*		20.03.030(c)(4)
Meeting, banquet, or event facility										P	P	P	P	P				
Mortuary										P	P		P					
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Place of worship	C	C	C	C	C	C	C	C	C	P	P	C	P	P	C			
Police, fire, or rescue station	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P		
Urban agriculture, noncommercial	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		20.03.030(c)(5)
<b>Educational Facilities</b>																		
School, college or university											C	C	P					
School, public or private	C*	C*	C*	C*	C*	C*	C*	C*	C*	P*	P*	C*	P*	P*				20.03.030(c)(6)
School, trade or business										P	P	P	P	P		P		
<b>Healthcare Facilities</b>																		
Hospital													C		C			
Medical clinic									P	P	P	P	P	P				
Methadone treatment facility											P*		C*		C*			20.03.030(c)(7)
Opioid rehabilitation facility										C*	C*	C*		C*	C*			20.03.030(c)(7)
<b>COMMERCIAL USES</b>																		
<b>Agricultural and Animal Uses</b>																		
Crops and pasturage	P*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(d)(1)
Kennel											C*					C*		20.03.030(d)(2)
Orchard or tree farm, commercial	P	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P		20.03.030(d)(3)
Pet grooming									P*	P*	P*			P*		P*		20.03.030(d)(4)
Plant nursery or greenhouse, commercial	C									P	P	P						
Veterinarian clinic									C*	P*	P*			P*				20.03.030(d)(4)
<b>Entertainment and Recreation</b>																		



**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential							Mixed-Use							Non-Residential		Use-Specific Standards	
	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM		PO
Amenity center	P*	P*	P*	P*	P	P	P	A	P	P	P	P	P	P				20.03.030(d)(5)
Country club	C										P							
Recreation, indoor			P*	P*	P*	P*		A	C	P	P			P				20.03.030(d)(6)
Recreation, outdoor	C										C	P	P			C		
Sexually oriented business										C*	P*					P*		20.03.030(d)(7)
Stadium													C					
<b>Food, Beverage, and Lodging</b>																		
Bar or dance club								P		P	P			P				
Bed and breakfast	C*	C*	C*	C*	C*	P			P	P	P			P				20.03.030(d)(8)
Brewpub, distillery, or winery								P*	P*	P*	P*	P*		P*		P*		20.03.030(d)(9)
Hotel or motel								P			P	C		P				
Restaurant					C*	C*		P	P	P	P	P*	A	P	A	A		20.03.030(d)(10)
<b>Office, Business, and Professional Services</b>																		
Artist studio or workshop	A*	A*	A*	A*	P	P			P	P	P	C	C	P				20.03.030(d)(11)
Check cashing										C	C							
Financial institution								P		P	P	C		P		A		
Fitness center, small					A	A		P	P	P	P	A	A	P	A	A		
Fitness center, large								P	P	P	P			P	A			
Office									P	P	P	P	P	P	P*	P		20.03.030(d)(12)
Personal service, small					A	A		P	P	P	P	P	C	P				
Personal service, large								C	C	P	P	P		P				
Tattoo or piercing parlor										P	P			P				
<b>Retail Sales</b>																		
Building supply store										P	P					P		
Firearm Sales										P	P	P						
Grocery or supermarket					A	A		P	P	P	P	P		P				
Liquor or tobacco sales										P	P			P				
Pawn shop										P	P			P				
Retail sales, small					C	C		P	P	P	P	P		P				
Retail sales, medium								P		P	P	P		P				
Retail sales, large											P			P				
Retail sales, big box											P					P		
<b>Vehicles and Equipment</b>																		
Equipment sales or rental									P*	P*	P*			P*		P*		20.03.030(d)(13)
Transportation terminal										P	P		P	P		P		
Vehicle fleet operations, small										P	P					P		



**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential							Mixed-Use							Non-Residential		Use-Specific Standards	
	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM		PO
Vehicle fleet operations, large											P					P		
Vehicle fuel station										P*	P*	P*		P*		P*		20.03.030(d)(14)
Vehicle impound storage																P*		20.03.030(d)(15)
Vehicle parking garage					A	A		A		P	P	P	A	P*	C			20.03.030(d)(16)
Vehicle repair, major											P*					P*		20.03.030(d)(17)
Vehicle repair, minor									C*	P*	P*			P*				20.03.030(d)(17)
Vehicle sales or rental										P	P	P						
Vehicle wash										P*	P*					P*		20.03.030(d)(18)
<b>EMPLOYMENT USES</b>																		
<b>Manufacturing and Processing</b>																		
Commercial laundry										P	P					P		
Food production or processing										C	C	C				C		
Manufacturing, artisan									P	P	P	C		P		P		
Manufacturing, light												P		C		P		
Manufacturing, heavy																C		
Salvage or scrap yard																C		
<b>Storage, Distribution, or Warehousing</b>																		
Bottled gas storage or distribution																P		
Contractor's yard											P	C				P		
Distribution, warehouse, or wholesale facility											C	C				P		
Storage, outdoor														P*		P*	A*	20.03.030(e)(1)
Storage, self-service								A*	C*	P*	P*	P*	A*	P*		P*		20.03.030(e)(2)
<b>Resource and Extraction</b>																		
Gravel, cement, or sand production																C*		20.03.030(e)(3)
Quarry																C*		20.03.030(e)(3)
Stone processing																P		
<b>UTILITIES AND COMMUNICATION</b>																		
Communication facility	C*										C*	C*	P	C*	C*	P		20.03.030(f)(1)
Solar collector, ground- or building-mounted	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P		20.03.030(f)(2)
Utility substation and transmission facility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		20.03.030(f)(3)
Wind energy system, large												P*				P*		20.03.030(f)(4)



**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential							Mixed-Use								Non-Residential		Use-Specific Standards
	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
Wind energy system, small	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P*	P*	20.03.030(f)(5)
<b>ACCESSORY USES</b>																	20.03.030(g)(1)	
Chicken flock	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		P*	20.03.030(g)(2)
Detached garage	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*								20.03.030(g)(3)
Drive-through										A*	A							20.03.030(g)(4)
Dwelling, accessory unit	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		A*	A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(g)(6)
Outdoor retail and display									T*	T*	T*			T*		A*	20.03.030(g)(7)	
Outdoor trash and recyclables receptacles					A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve					A	A		A	A	A	A	A	A	A	A	A		
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)
<b>TEMPORARY USES</b>																	20.03.030(h)(1)	
Book buyback								T*	T*	T*	T*		T*	T*				20.03.030(h)(2)
Construction support activities	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	20.03.030(h)(3)
Farm produce sales	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*			20.03.030(h)(4)
Real estate sales or model home	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*		20.03.030(h)(5)
Seasonal sales								T*	T*	T*	T*	T*	T*	T*	T*			20.03.030(h)(6)
Special event	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*		T*	23.03.030(h)(7)

Indiana Code 36-7-8-3. Establishment of building, heating, ventilating, electrical, plumbing and sanitation standards; ordinances

(a) The legislative body of a county having a county department of buildings or joint city-county building department may, by ordinance, adopt building, heating, ventilating, air conditioning, electrical, plumbing, and sanitation standards for unincorporated areas of the county. These standards take effect only on the legislative body's receipt of written approval from the fire prevention and building safety commission.

(b) An ordinance adopted under this section must be based on occupancy, and it applies to:

(1) the construction, alteration, equipment, use, occupancy, location, and maintenance of buildings, structures, and appurtenances that are on land or over water and are:

(A) erected after the ordinance takes effect; and

(B) if expressly provided by the ordinance, existing when the ordinance takes effect;

(2) conversions of buildings and structures, or parts of them, from one occupancy classification to another; and

(3) the movement or demolition of buildings, structures, and equipment for the operation of buildings and structures.

(c) The rules of the fire prevention and building safety commission are the minimum standards upon which ordinances adopted under this section must be based.

**(d) An ordinance adopted under this section does not apply to private homes that are built by individuals and used for their own occupancy.** However, onsite sewage systems of a private home described in this subsection must comply with state laws and rules.

Notes of decision:

1. Mobile home owners did not build mobile homes in which they resided on their private property, and thus, did not come within statutory exception to building code requirements for private homes built by individuals and used for their own residence, absent any showing that owners performed any of construction work on homes. *Washington County Health Dept. v. White*, App.2007, 878 N.E.2d 224.

2. Term "private home," as used in statute exempting from building code requirements those "private homes" built by individuals and used for their own occupancy, is not limited to the physical structure used as a person's residence, but instead includes accessory structures which are located in proximity, incidental to and within the same site as the primary residence. *Noble County Bd. of Com'rs v. Fahlsing*, App.1999, 714 N.E.2d 1134.

3. Within ruling that person who completes substantial portion of construction of his own home is exempt from building code requirements, "substantial" is to be understood as meaning "of ample or considerable amount, quantity, or size," and it would be inconsistent with ordinary meaning of the term to construe "substantial portion" as referring to only half of the whole. *Robinson v. Monroe County*, App.1996, 663 N.E.2d 196.

4. When statutory exemption from building code requirements for persons building and residing in own homes operates to exempt individual from having to comply with building code requirements, any construction work performed by professional subcontractors or others paid by

owner is not subject to exemption and said work must be performed in compliance with all applicable building code requirements. *Robinson v. Monroe County*, App.1995, 658 N.E.2d 647

5. Homeowners who did all of framing and roofing, finish and cabinet work, electrical work and plumbing on their home and hired independent contractors for remaining work came within statutory exemption from building code requirements for persons building and residing in own homes. *Robinson v. Monroe County*, App.1995, 658 N.E.2d 647

6. Meaning of statutory exemption from building code requirements for persons building and residing in own homes is to be considered in light of its only conceivable purpose: to relieve persons lacking skills to build homes complying with building code specifications and money to pay others to do so from obligation to comply with building code regulations interfering with their ability to build own home and thus pursue American dream. *Robinson v. Monroe County*, App.1995, 658 N.E.2d 647.



**City of Bloomington**  
**Planning and Transportation Department**  
**Certificate of Zoning Compliance**

Application #:	C23-053 / CZC-2023-0099	Property Address:	530 South Washington Street
Date Received:	2/3/2023	Date Issued:	2/10/2023
Zoning District:	R4	Proposed Use:	Dwelling, single-family (Detached) Accessory structure

The attached plans have been reviewed for compliance with applicable provisions of Title 20, Bloomington Unified Development Ordinance, and conformance with the terms of any approvals which have been granted under authority of the Ordinance. The Planning and Transportation Department finds the plans to be in compliance. The following terms and conditions apply:

- This permit authorizes the proposed Accessory Structure New Construction as shown on the Certificate of Zoning Compliance application only; no other construction is permitted.
- Occupancy of each dwelling unit is limited to not more than 3 unrelated adults, or as defined by the definition of "Family." [BMC 20.07.10 (Family)]
- This permit does not allow for work in a city right-of-way. An excavation permit is required for any work done within a public right-of-way. No structures or site features may encroach on drainage easement without prior permission from CBU
- Gutters and downspouts are required. [BMC 20.04.070(d)(3)(F)]
- Siding material must extend from roofline to within six (6) inches of finished grade. [BMC 20.04.070(d)(3)(C)]
- The exterior finish and façade of the detached garage must conform to "Development Standards & Incentives; Residential" in the Bloomington Unified Development Ordinance. [BMC 20.04.070(d)(3)]
- The accessory structure can be no taller than 20' as measured from the average finished grade surface of the structure exposed above the ground surface to the highest point of the roof. [BMC 20.02.020 (d)(2)(F) & 20.04.020(f)(1)(B)]
- The cumulative area of the footprints of all enclosed accessory structures in the R4 district shall not exceed: 400 square feet. [BMC 20.03.030(g)(1)(E)]
- No more than 2 accessory structures are permitted on a parcel. [BMC 20.03.030(g)(1)(E)]
- Any future construction activities must first receive a subsequent building permit.

This Certificate of Zoning Compliance pertains only to the attached plans and the specific use proposed, exactly as submitted and reviewed. This Certificate does not constitute the issuance of any additional required permits nor exempt the property from compliance with any requirements of other governmental entities.

Gabriel Holbrow, AICP  
 Zoning Planner  
 City of Bloomington  
 Planning and Transportation Department





■ = 4' sq. ft

NEW ACCESSORY STRUCTURE  
TO BE BUILT

ARBY'S  
ALLEY

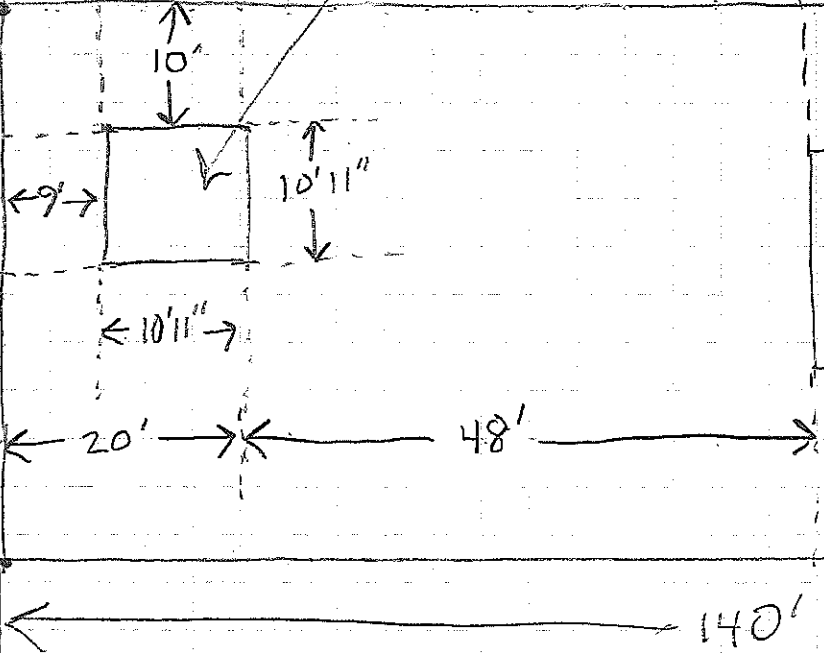
ACCESSORY  
STRUCTURE  
- 120 SQ. FT

BOWLES ADDN.  
LOT #10

EXISTING  
HOUSE

BIAEWALK  
TREE PLOT

WASHINGTON STREET



JOSEPH B. DAVIS  
 - OWNER/BUILDER  
 530 S. WASHINGTON ST.  
 BLOOMINGTON, TN 47401  
 812-525-9706  
 balebuilder@gmail.com

1 OF 5

# ACCESSORY STRUCTURE SOUTH ELEVATION

39"

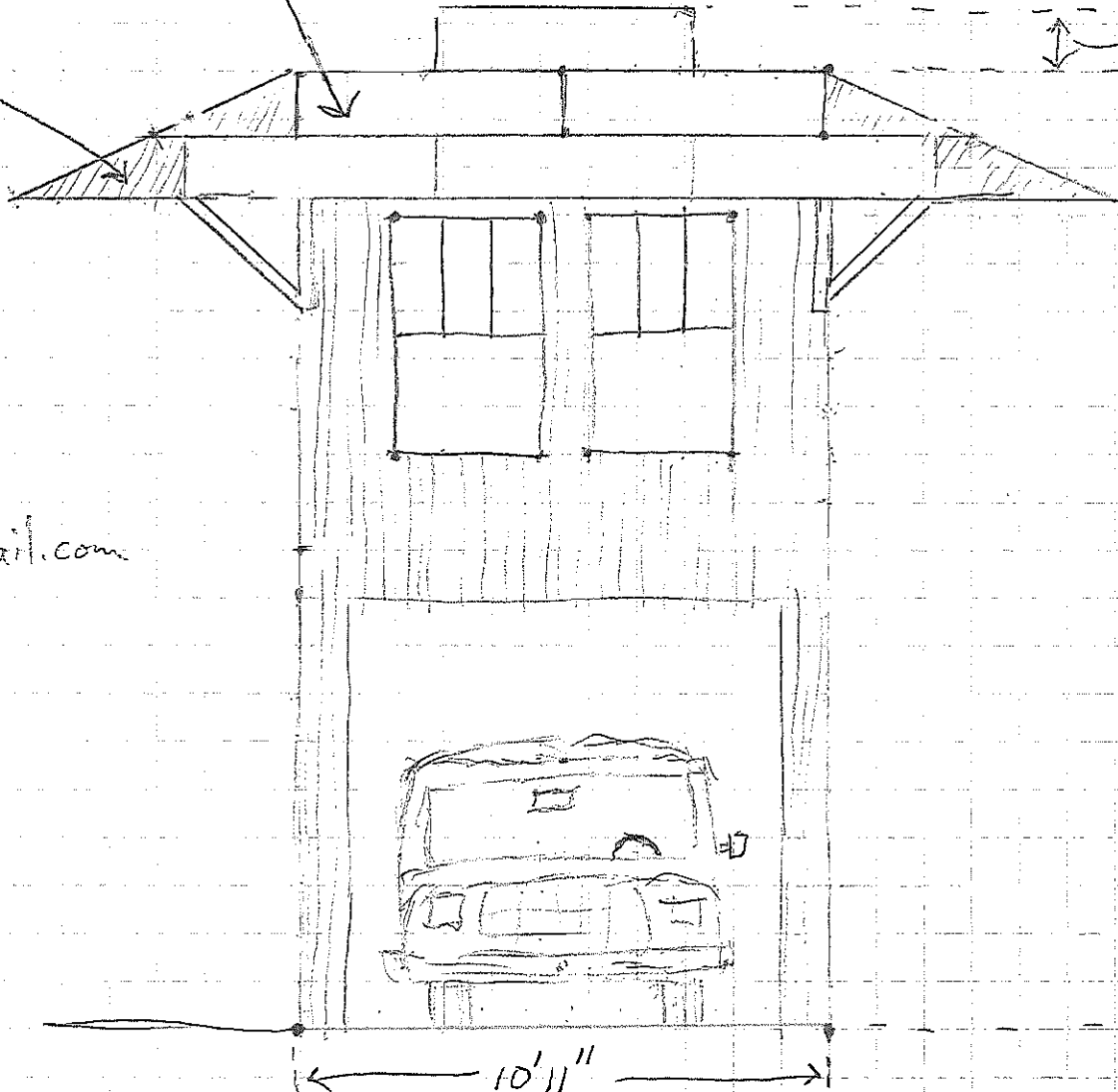
77"

64.5" SOLAR  
PANELS

METAL  
ROOFING

SOLAR RACK  
LESS THAN OR EQUAL  
TO 36"

JOE DAVIS  
530 S. WASH.  
BLMTR, IN 47401  
812-525-9706  
balebuilder@gmail.com



20'

10'11"

2 OF 5

EAST  
ELEVATION

SOLAR RACK  
LESS THAN OR EQUAL  
TO 36" IN HEIGHT

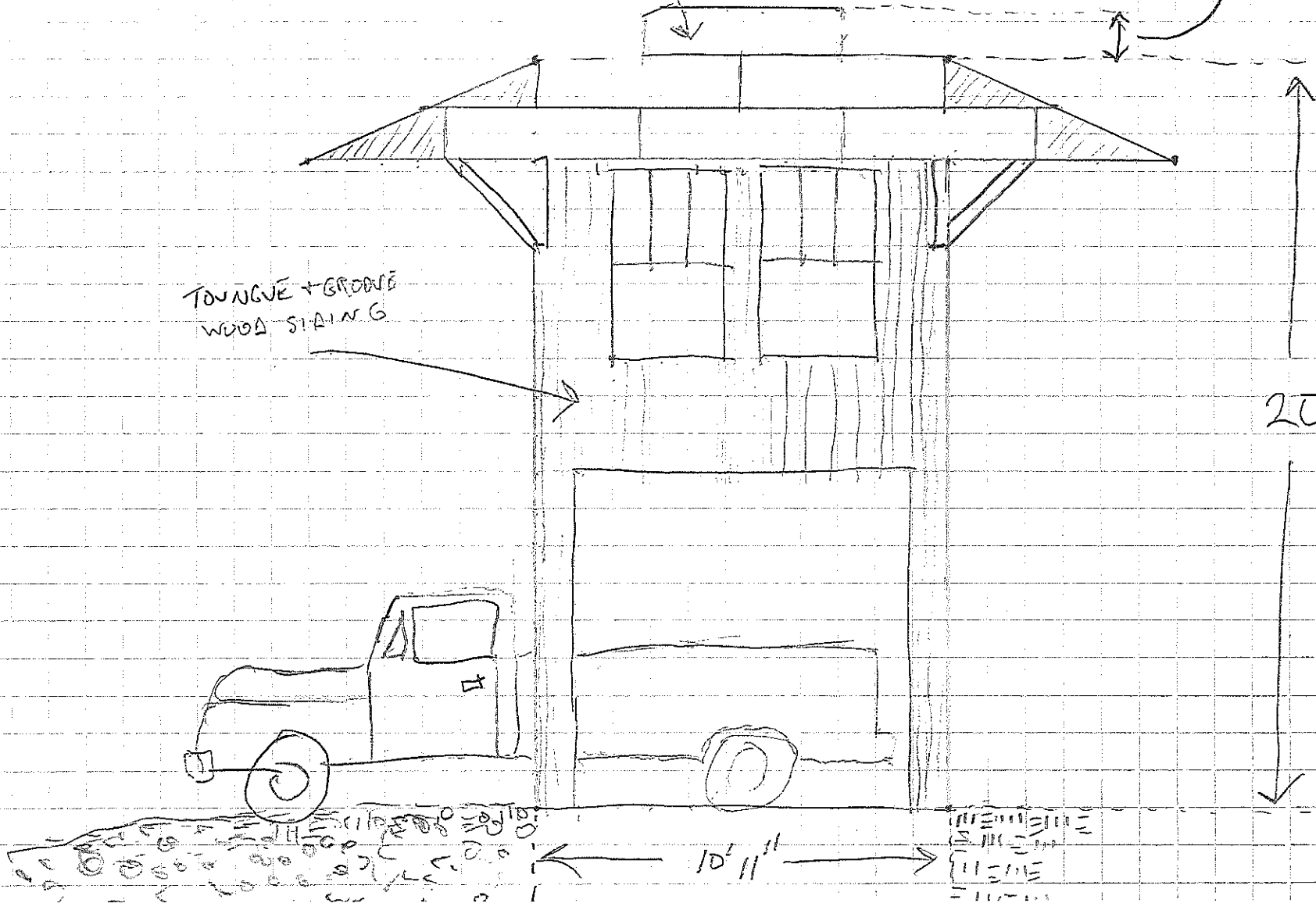
SOLAR  
PANELS

TONGUE + GROOVE  
WOOD SIAING

20'

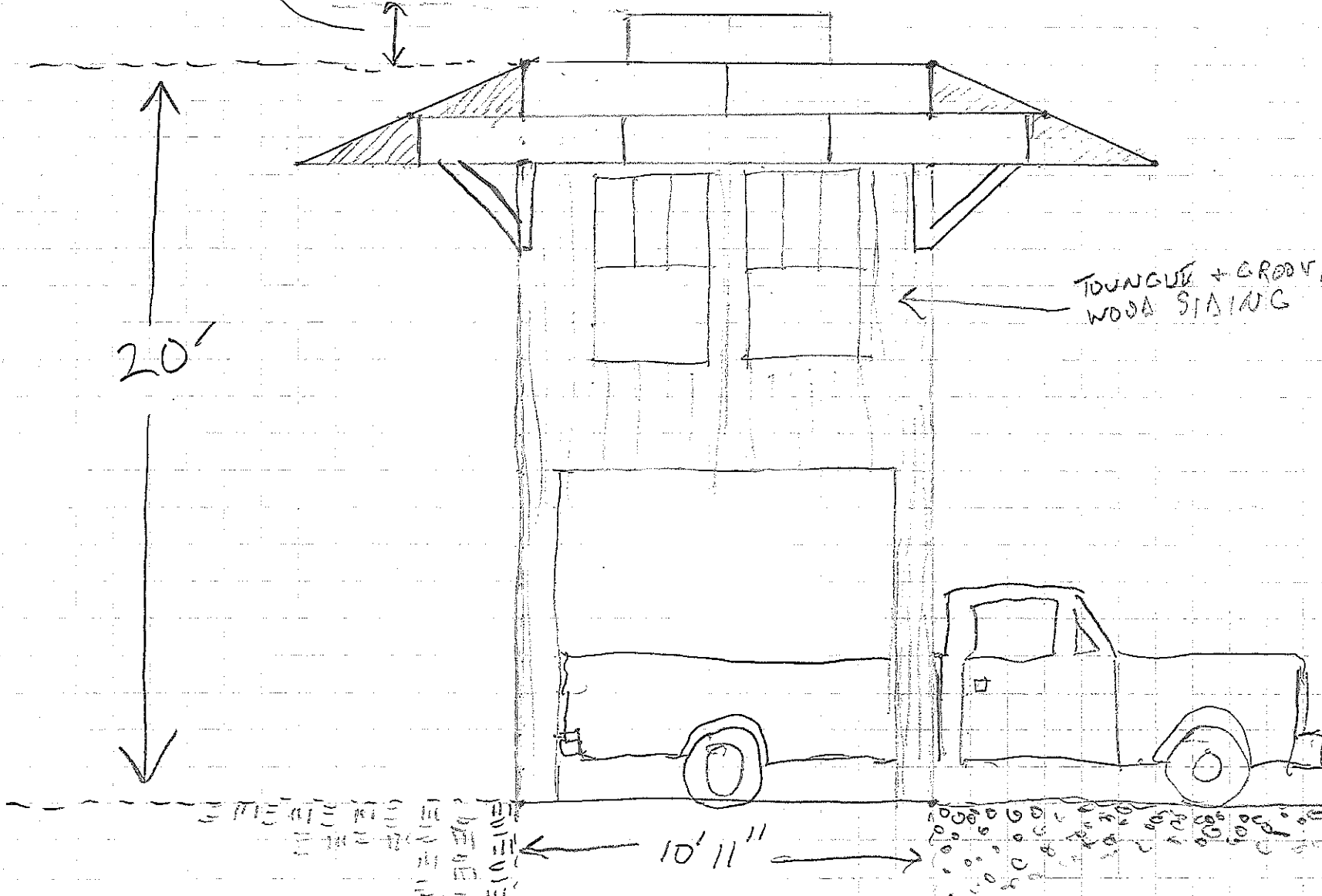
10' 11"

3 OF 5



SOLAR RACK  
LESS THAN OR EQUAL  
TO 36" IN HEIGHT

WEST  
ELEVATION



NORTH  
ELEVATION

SOLAR RACK  
LESS THAN OR EQUAL  
TO 36" IN HEIGHT

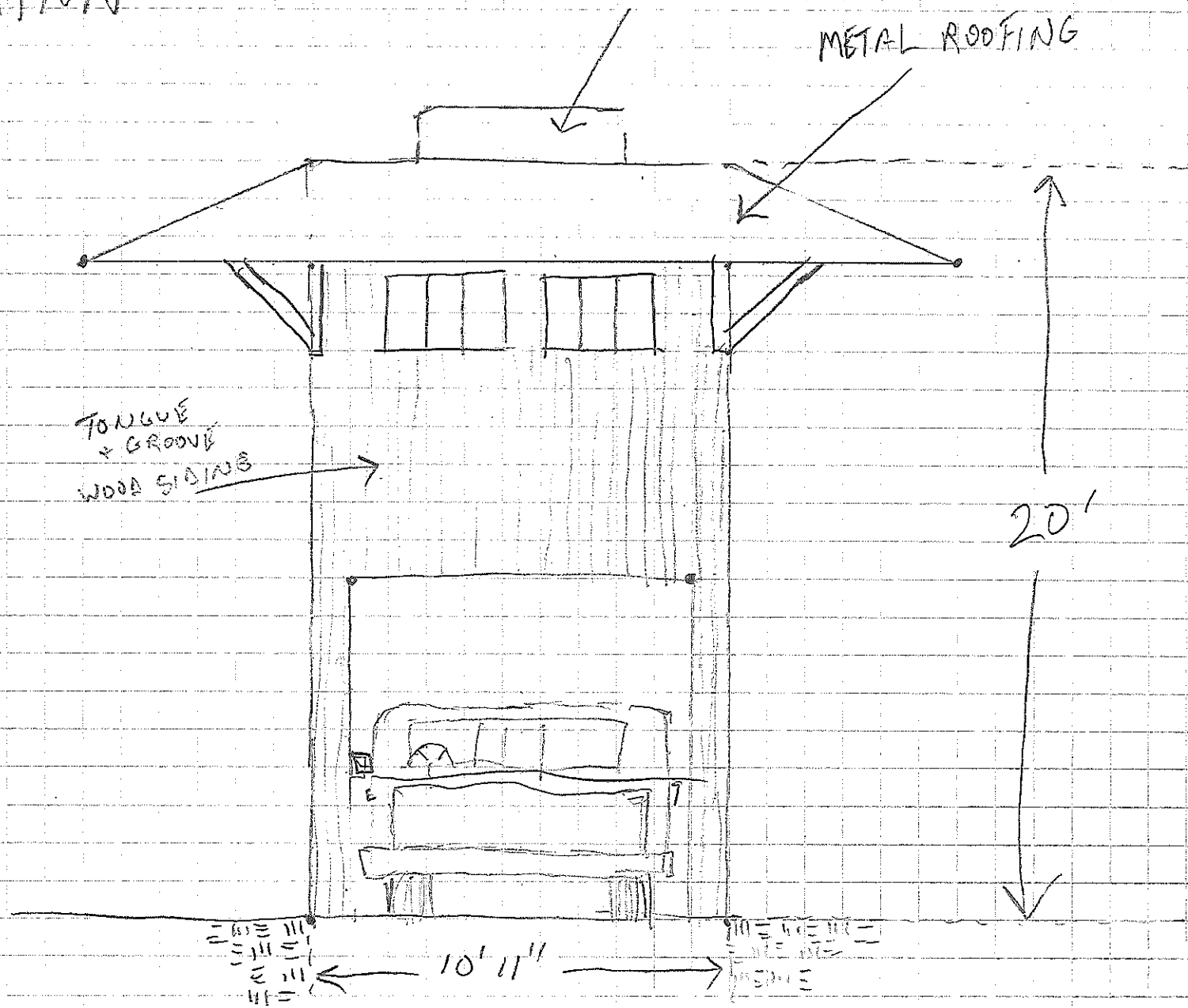
METAL ROOFING

TONGUE  
& GROOVE  
WOOD SIDING

20'

10' 11"

5 of 5



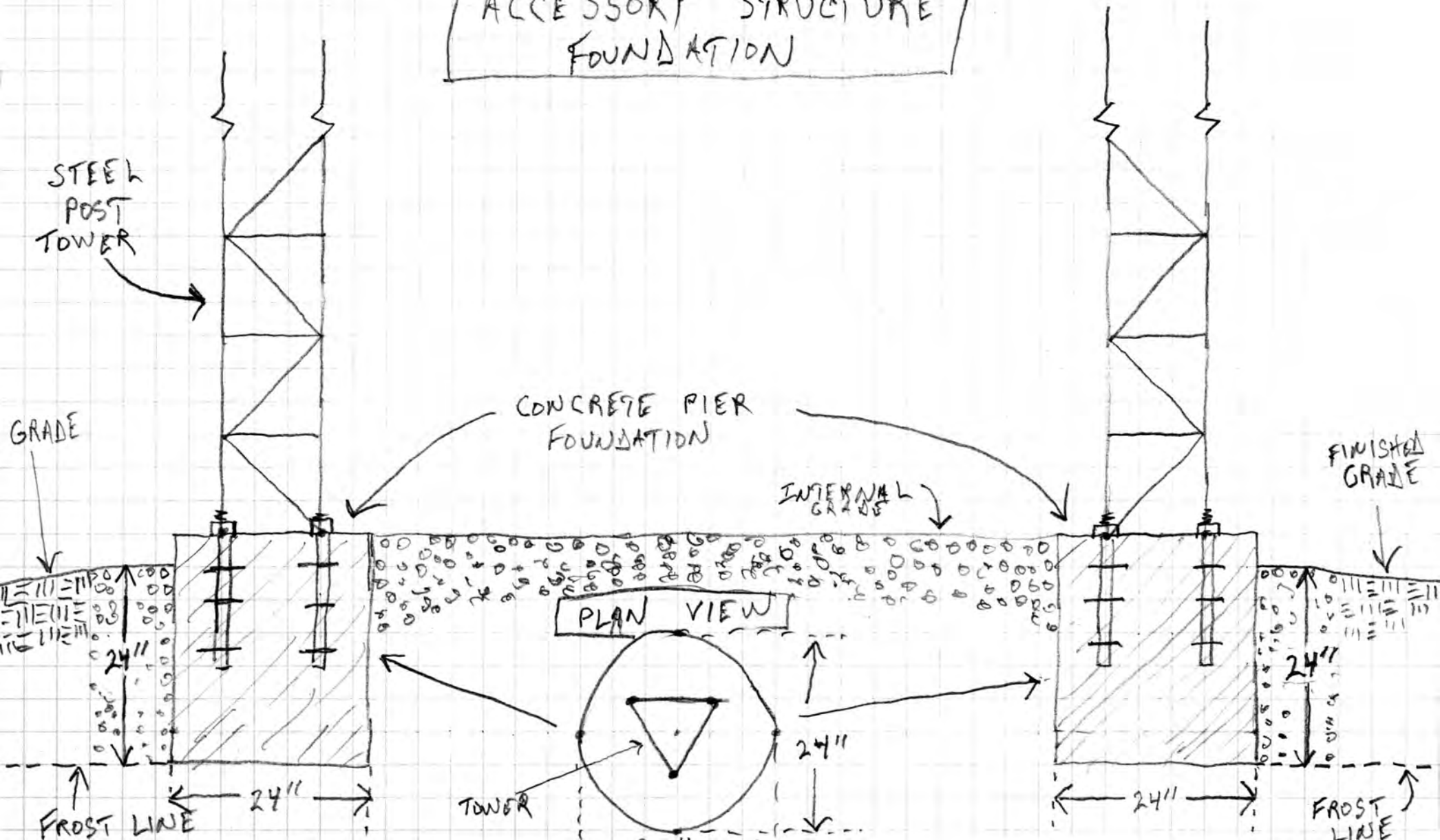


JOSEPH B. DAVIS  
538 S. WASH ST  
BLOOMINGTON, IN 47401  
812-525-9706  
balebuilder@gmail.com

1 OF 1



ACCESSORY STRUCTURE FOUNDATION





**Monroe County Building Department**  
(812) 349-2580

Public Notice of  
**Electrical Permit**  
**Permit #: R-22-342**

**Owner:** DAVIS, JOSEPH BRADLEY  
**Applicant:** Joe Davis  
**Location:** 530 S Washington ST

**Contractor:**  
**Type of Work:** Residential Electrical Permit

**ISSUED ON:** April 1, 2022  
**Permits expire 1 year from the date of issue.**

A handwritten signature in black ink, appearing to read 'B. LaRue'.

Issued by Bobby LaRue, CBO  
Monroe County / City of Bloomington  
Building Commissioner

**NOTICE:**

This card is to be posted in a conspicuous place, visible from the public street and shall remain in place during the entire period of construction. Not having this Permit Notice posted is a violation of the Monroe County Building Ordinance and could result in a fine or assessment of re-inspection fees. Any changes in the scope of the work as submitted in the construction application and specifications must be approved by the Monroe County Building Department prior to the work being performed.



This is an e-permit. To learn more, scan this barcode or visit [monroecountyin.viewpointcloud.com/#!/records/9663](https://monroecountyin.viewpointcloud.com/#!/records/9663)



Monroe County, IN

**\$50.00 Paid**

**via Check #1364**

Thanks for using the Online Service Center

joe davis  
Residential Electrical Permit #R-22-342  
April 1, 2022

Solar Electric Installation Fee	\$50.00
<b>Total Paid</b>	<b>\$50.00</b>



Powered by the ViewPoint Cloud platform  
Receipt number #3080

























































































































**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
**LOCATION: 626 N College Ave**

**CASE#: V-52-22**  
**DATE: January 19, 2023**

**PETITIONER:** Omega Master LLC  
 115 E 6<sup>th</sup> St, Suite #1  
 Bloomington, IN 47408

**CONSULTANT:** Matt Ellenwood, Matte Black Architecture  
 2021 E Wexley Rd  
 Bloomington, IN 47401

**REQUEST:** The petitioner is requesting a variance from use-specific standards for ‘Dwelling, multifamily’ to allow for a dwelling unit within the first 20 feet in the ground floor of the building in the Mixed-Use Downtown zoning district with Downtown Gateway character overlay (MD-DG).

**REPORT:** The property is located at 626 N. College Avenue and is currently zoned Mixed-Use Downtown zoning district with Downtown Gateway character overlay (MD-DG). The properties to the north, south, east and west are also zoned MD-DG. The property contains an existing 2-story structure with four dwelling units.

The petitioner is proposing a 2-story addition to the rear of the existing structure, which will contain two dwelling units above a covered parking area. The proposal triggers compliance with ‘dwelling, multifamily’ use-specific standards and meets all but one standard that requires any ground floor dwelling units in the MD zoning district to be located at least 20 feet behind each building façade facing a public street. In this case, the existing structure contains a dwelling unit immediately behind the building façade on the ground floor.

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

**20.06.080(b)(3)(E)(i) Standards for Granting Variances from Development Standards:** Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO 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*

**PROPOSED FINDING:** No injury to the public health, safety, morals, and general welfare is found as a result of this petition. The intent of this requirement is to activate street edges with non-residential uses and create a buffer use between the residential portion of the building and the public right-of-way, however, the existing building façade is setback from the public right-of-way approximately 23 feet and the front porch helps create a buffer.

- (2) The use and value of the area adjacent to the property included in the development standards*



*variance will not be affected in a substantially adverse manner; and*

**PROPOSED FINDING:** No adverse effect to the use or value of the adjacent properties is found as a result of this petition. Staff has not received any concerns about this petition from the public. Additionally, this is an existing condition and the front of the building will not change with the proposed addition to the rear of the building.

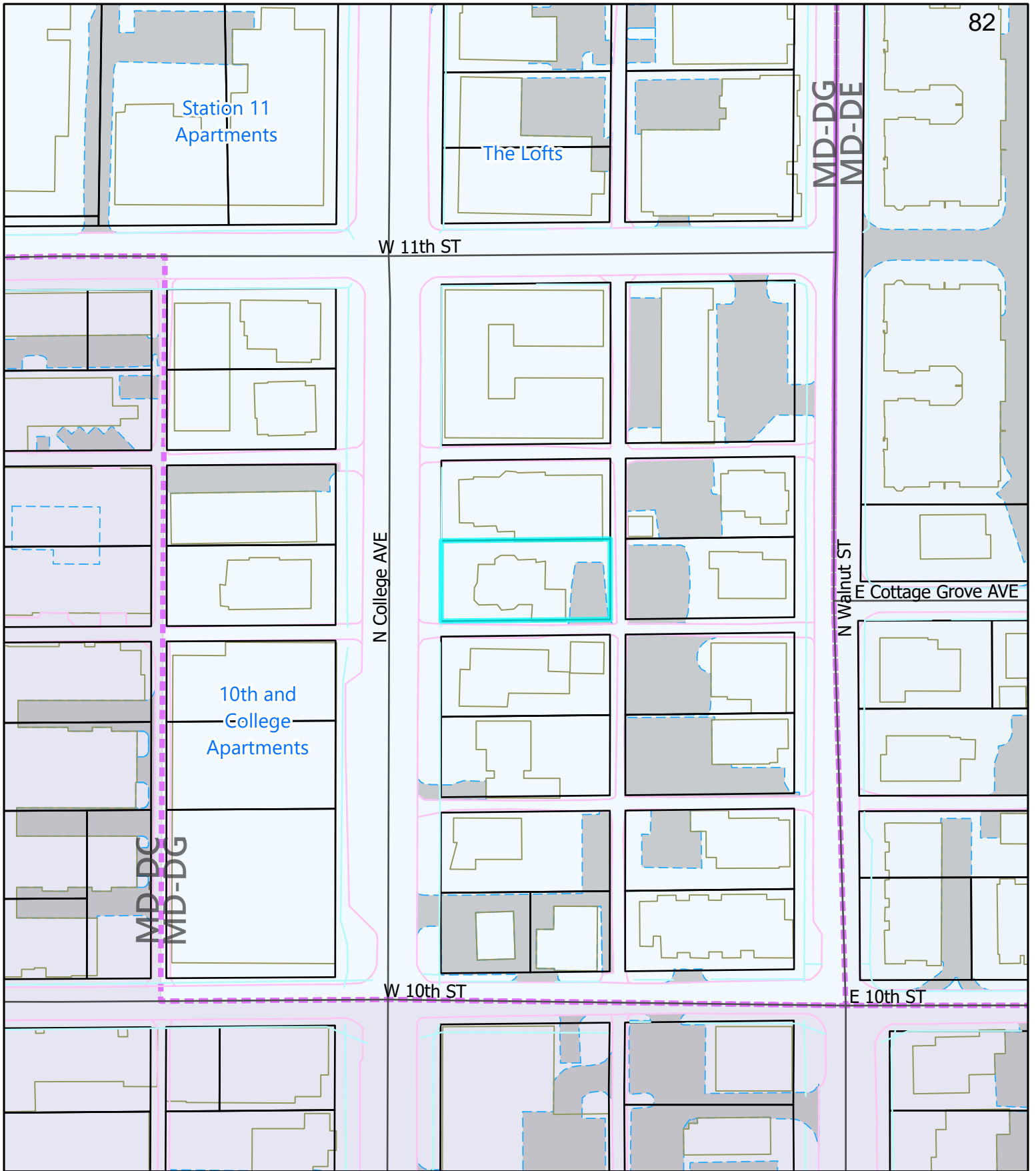
*(3) The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties.*

**PROPOSED FINDING:** Practical difficulty was found in that this is an existing condition that already addresses the requirement's intent but impedes the addition of two dwelling units to the rear of the building without significant interior renovation that would eliminate at least a bedroom from the dwelling unit in order to meet the 20-foot minimum distance behind the building façade. The property has a front yard and the first floor is elevated so the existing condition already addresses the intent of this requirement, which was to create a buffer for residential uses on the first floor. The distance from the front building wall to the nearest interior wall does not meet the 20-foot minimum distance required, which is why significant renovation would be needed.

---

**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of V-52-22 with the following conditions:

1. A minor site plan review and building permit are required before construction can begin.



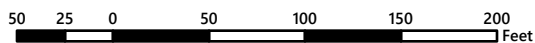
Planning and  
Transportation  
Department

**City of  
Bloomington**



City of Bloomington, IN

626 N COLLEGE AVE



For use as map information only, information is NOT warranted.

Produced: 1/11/2023



Layout: Location Map\_8.5x11 Layout  
Project: V-52-22





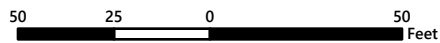
Planning and  
Transportation  
Department

**City of  
Bloomington**



City of Bloomington, IN

626 N COLLEGE AVE



For use as map information only, information is NOT warranted.

Produced: 1/11/2023



Layout: Context Map\_8.5x11 Layout  
Project: V-52-22



# Petitioner's Statement



## 626 N COLLEGE AVE

Attention: City of Bloomington Board of Zoning Appeals

Petitioner: Rob Friedman (Omega Properties)

### Property Description

The **8276 sf (.19 acre)** property at 626 N College currently contains an existing 4362 sf (2661 sf footprint), 7 bedroom fourplex (conversion of a former single-family structure) with surface parking in the rear (east). It is bounded by an alley to the south, an alley to the east, a multi-family development to the north and N College Avenue to the west. The property is designated **MD-DG (Mixed Downtown with Downtown Gateway Overlay)** under the current UDO.

### Project Description

The petitioner is proposing a new **1716 sf 2-story rear addition** that will include **2 – 2 bedroom units over a 9 car parking garage with trash/recycling area**. The proposed addition virtually copies an addition that was done on the property directly to the north in 2015, taking advantage of the available land in the rear (east) of the property to create additional housing and parking without detracting from the historic character and scale of the existing structure from the front (west). The proposed addition meets all of the UDO standards including maximum impervious surface, height, parking, etc.

### Variance Request

The petitioner is filing for a variance from the Use-Specific Standard that states “**each dwelling unit located on the ground floor shall be located at least 20 feet behind each building façade facing a public street.**” This is a relatively new standard for properties in the MD zone, and was mainly intended for new development, however the proposed addition triggers this requirement for the existing structure and use. Because there is no provision for extending the “nonconforming use” in the UDO, we would have to either convert the existing portion of ground-floor dwelling into some other use (commercial) or abandon the addition altogether. Considering the recent development of the property to the north along with the need for additional housing in the city core we are seeking a **variance to maintain the existing ground-floor residential use**. We also believe it's in keeping with the surrounding use (mainly residential with some limited commercial).

Thank you for your consideration of this petition.

A handwritten signature in black ink that reads "Matt Ellenwood".

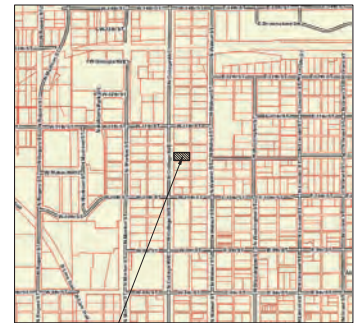
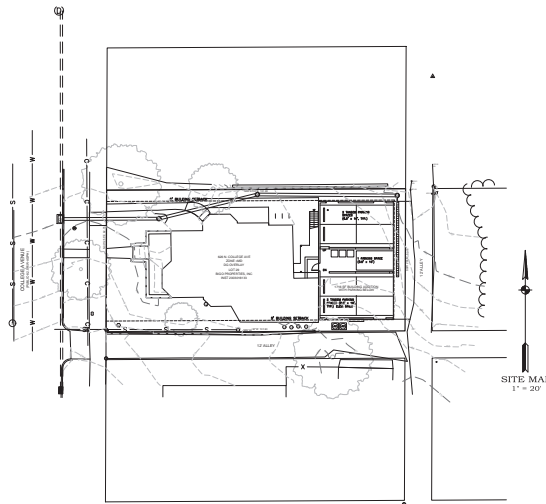
Matt Ellenwood, AIA (on behalf of the petitioner)



# 626 N. COLLEGE BUILDING ADDITION

## 626 N. COLLEGE AVE. AVENUE

### BLOOMINGTON, INDIANA



Sheet List Table	
Sheet Number	Sheet Title
1	TITLE
2	SITE GRADING AND UTILITY PLAN
3	SWPP PLAN
4	SWPP SPECS
5	CIVIL DETAILS AND PROFILE
6	LANDSCAPE PLAN

SHEET NO.	REVISIONS	BY	DATE

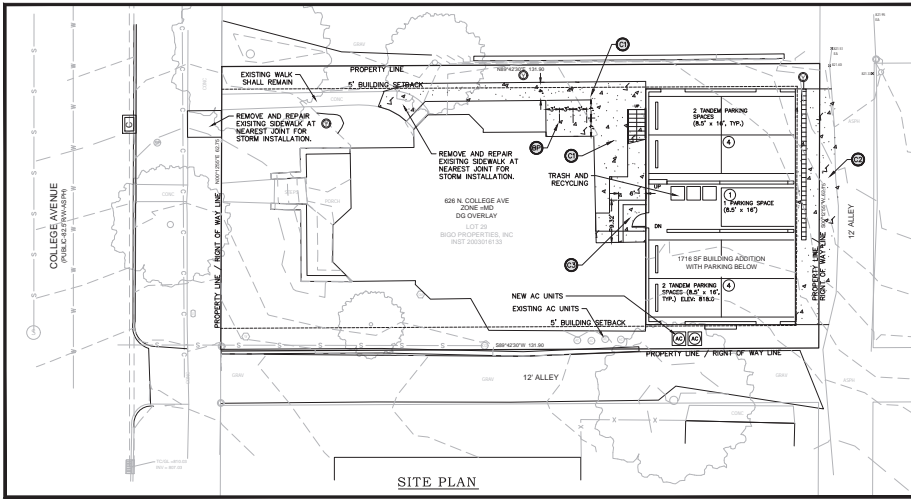


NOTE : WATER, AND SANITARY SEWER ITEMS SHALL BE IN ACCORDANCE WITH THE LATEST ISSUE OF THE CITY OF BLOOMINGTON UTILITIES CONSTRUCTION SPECIFICATIONS. ALL OTHER WORK SHALL BE IN ACCORDANCE WITH THE 2021 SMITH DESIGN GROUP, INCORPORATED STANDARD SPECIFICATIONS.

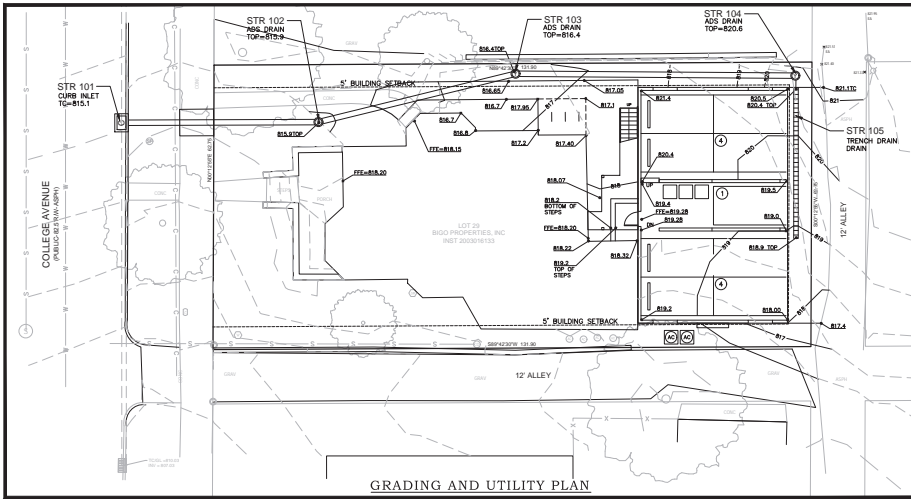


CIVIL ENGINEERING - LAND SURVEYING  
1505 W Arlington Road, Bloomington, IN 47404  
(812) 336-6536 · smithdgroup.com

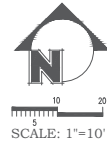
JOB NUMBER: 6396



SITE PLAN



GRADING AND UTILITY PLAN



ZONE M0 WITH-DO OVERLAY  
 SITE SETS SHALL BE IN ACCORDANCE WITH THE LATEST ADI, ROOF AND CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL COORDINATE WITH CITY OF BLOOMINGTON FOR CONSTRUCTION.  
 2 UNIT 4 BEDROOM BUILDING  
 FOOTING SHALL BE 18" x 18" x 12" (SEE 316.0)  
 FLOORING SHALL BE 4" x 8" x 1/2" (SEE 316.0)  
 TOTAL IMPERVIOUS SURF SHALL BE 10,000 SF (SEE 316.0)  
 MINIMUM PARKING REQUIRED FOR DISTRICT BUILDINGS:  
 1 BEDROOM 1 SPACE PER DU  
 2 BEDROOM 1.5 SPACES PER DU  
 3 BEDROOMS 2 SPACES PER DU  
 THIS PROJECT HAS 4 DWELLING UNITS WITH 11 BEDROOMS  
 EX DU - 1 3B UNIT 2 SPACES REQUIRED  
 EX DU - 2 3B UNIT 2 SPACES REQUIRED  
 EX DU - 3 3B UNIT 1.5 SPACES REQUIRED  
 EX DU - 4 3B UNIT 1.5 SPACES REQUIRED  
 EX DU - 5 3B UNIT 1.5 SPACES REQUIRED  
 EX DU - 6 3B UNIT 1.5 SPACES REQUIRED  
 TOTAL PARKING REQUIRED=4 SPACES  
 MINIMUM PARKING 1.5B SPACES PER DU = 13.75 SPACES

- SITE MATERIALS**
- ① CONCRETE SIDEWALK (SEE DETAIL ON DETAILS SHEET) 4" 100% CONCRETE
  - ② CONCRETE AGGREGATE BASE #3
  - ③ CONCRETE PAVEMENT 4" 100% CONCRETE, 4000 PSI
  - ④ 1" FINE PPS CONCRETE AGGREGATE BASE
  - ⑤ CONCRETE STOOD WITH 3 STEPS DOWN TO EXISTING BUILDING DOOR
  - ⑥ BIKE PARKING - 3 SPACES REQUIRED FOR TOTAL BIKE SPACES. SEE DETAIL ON DETAIL SHEET

- SITE PLAN NOTES**
1. SIDEWALK RAMP SHALL BE IN ACCORDANCE WITH THE LATEST ADI, ROOF AND CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL COORDINATE WITH CITY OF BLOOMINGTON FOR CONSTRUCTION.
  2. AT SIDEWALK RAMP THE CONTRACTOR SHALL REMOVE CONCRETE SIDEWALK PANELS TO EXISTING CONSTRUCTION JOINT TO BEET FAN ROOF AND CITY OF BLOOMINGTON REQUIREMENTS.
  3. PAVEMENT FINISHES IF SHOWN SHALL BE APPLIED IN ACCORDANCE WITH SECTION 808 & 809 OF THE CURRENT ROAD GRADING SPECIFICATIONS AND IS SHOWN ON THE PLANS FOR THE PROJECT.
  4. CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CITY RIGHT OF WAY USE PERMIT IF WORK WITHIN THE PUBLIC ROW IS NECESSARY FOR THE PROJECT CONSTRUCTION.

- GENERAL NOTES**
1. SEE SARTH DESIGN GROUP SET STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS.
  2. CONTRACTOR SHALL CONTACT WITH CITY PLANNING AND TRANSPORTATION, ENGINEERING AND CITY OF BLOOMINGTON OFFICE FOR PRE CONSTRUCTION MEETING TO COORDINATE CONSTRUCTION SCHEDULES AND MAINTENANCE OF TRAFFIC.
  3. LOCATION OF EXISTING TREES AND THE TREE SETBACK TO BE FIELD BY THE CONTRACTOR. PLEASE SEE CITY OF BLOOMINGTON TREE SETBACK MAP.
  4. TOP OF DRAINING ELEVATIONS ARE GIVEN IN THE FOLLOWING LOCATIONS:  
 MANHOLE RISE ELEVATION  
 INLETS GUTTER ELEVATION

**Sarth Design Group**  
 10115 Lakeside Dr., Suite 100, Bloomington, IN 47403  
 317.346.1111 | sarthdesign.com

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Professional Engineer  
 State of Indiana  
 License No. 12345  
*Natalie Steen*

09/27/2022

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**626 N. COLLEGE AVENUE  
 BLOOMINGTON, INDIANA**

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NO.	DATE	REVISIONS

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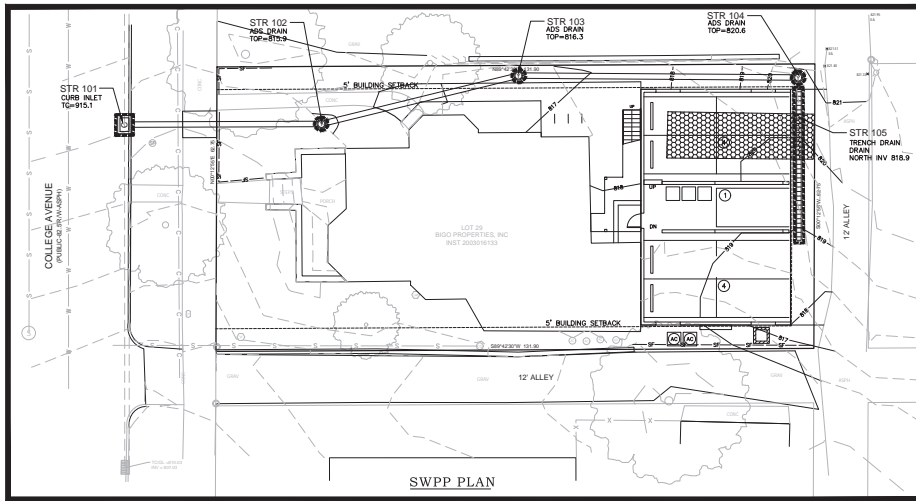
PROJECT NO. **6396**

SHEET **2** OF **6**

DATE: **08/17/2022**

**SITE GRADING AND UTILITY PLAN**





**GENERAL CONSTRUCTION SEQUENCE**

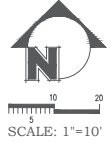
1. PRIOR TO START OF CONSTRUCTION, CONTRACTOR SHALL CONDUCT A PRE-CONSTRUCTION MEETING WITH CITY PLANNING AND TRANSPORTATION AND ONLY REFER TO REVERSE SIDE OF EXCITS.
2. FOOT THE LOCAL GRADING PERMITS.
3. METAL TEMPORARY CONSTRUCTION IN LOCATION APPROVED BY PLANNING.
4. CLEAR EXISTING CONSTRUCTION IN AREA.
5. COMPLETE SITE EARTHWORK TO CREATE BUILDING PAD.
6. METAL SILENT STRUCTURES.
7. METAL TEMPORARY CONCRETE WASHOUT LOCATION MAY VARY BASED ON CONTRACTOR PREFERENCE, HOWEVER DESIGN COMPLIANCE WITH THE NEUMAN STORE MUST QUALITY MATERIAL.
8. METAL AGGREGATE BASE FOR DRIVE AND DRIVEWAYS.
9. METAL CONCRETE FURROW AND CONCRETE WELLS.
10. REINFORCE CONCRETE IN LANE AREAS AND AROUND BUILDING AND METAL LANDSCAPING.
11. METAL PERMANENT LAMING, WELLS, SEED ALL DISTURBED LANE AREAS.
12. FENCING MUST ACCORD TO CODES FROM THE JURISDICTION AND SITE.
13. ONCE LAMING ARE ESTABLISHED, REMOVE SILT FENCE AND OTHER EROSION CONTROL MEASURES AND PATCH ANY BARE SPOTS.

**SWPP GENERAL REQUIREMENTS**

1. PRIOR TO START OF CONSTRUCTION, CONTRACTOR TO COORDINATE PRE-CONSTRUCTION MEETING WITH CITY PLANNING.
2. ANY BARE EARTH AREAS REMAINING FOR MORE THAN 7 DAYS SHALL BE TEMPORARILY MULCHED TO PREVENT EROSION. IN ACCORDANCE WITH THE TOWN ENGINEER'S DESIGN, PERMANENTLY SEED AFTER FINISH GRADING. CONTACT CITY OF BLOOMINGTON PLANNING AND TRANSPORTATION FOR CLARITY IF NEEDS OR TEMPORARY PERMANENT SEEDING.
3. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL EROSION CONTROL DEVICES DURING CONSTRUCTION AND INSTALLED SUPPLEMENTAL DESIGN CONTROL DEVICES AS REQUIRED.
4. CONTRACTOR SHALL INSPECT ALL EROSION CONTROL DEVICES PRIOR TO AND IMMEDIATELY FOLLOWING ANY EACH RAIN EVENT.
5. IF FILLING ON-SITE IS NECESSARY, NOTIFY ENGINEER OF LOCATION TO SHOW ON SWPP.

TEMPORARY SEEDING REQUIREMENTS				
SEED SPECIES	RATE (LBS/1000)	PLANTING DEPTH	OPTIMUM DATE*	
RYE GRASS	50 LBS	1 IN.	3/15 TO 7/31	
SPRING GRASS	100 LBS	1 IN.	3/15 TO 4/30	
ORANGE GRASS	40 LBS	1 IN.	5/1 TO 9/31	
BERNARD WHEAT	40 LBS	1 TO 1.5 IN.	5/1 TO 9/31	
			10/1 TO 3/31	

\* 2. PREPARE SEED BED WITH 2" OF FINE SAND, CRUSHED TIRE AND THE SEED.   
 3. DO NOT FERTILIZE OR WATER UNTIL 4-6 WEEKS AFTER SEEDING.   
 4. DO NOT REMOVE SEED BED UNTIL 4-6 WEEKS AFTER SEEDING.

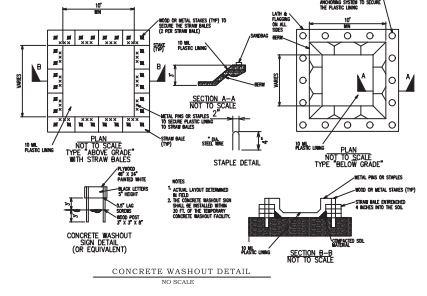
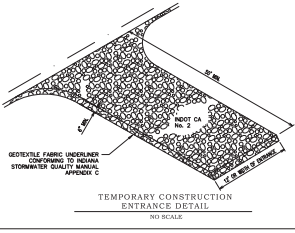
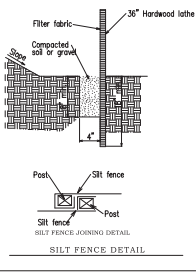
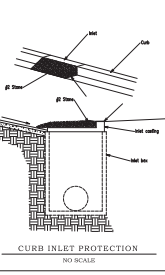
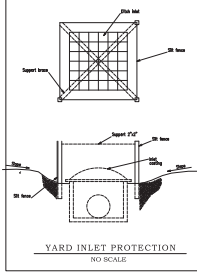


09/27/2022

626 N. COLLEGE AVENUE  
BLOOMINGTON, INDIANA

**EROSION CONTROL LEGEND**

- TEMPORARY CONSTRUCTION ENTRANCE
- CONCRETE WASHOUT
- BAG CURB INLET PROTECTION
- YARD ALLEY PROTECTION
- SILT FENCE



**GENERAL NOTES**

1. SEE SMITH DESIGN GROUP SBT STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS.
2. CONTRACTOR SHALL CONTACT WITH CITY PLANNING AND TRANSPORTATION, ENGINEERING AND CITY OF BLOOMINGTON PUBLICS FOR PRE-CONSTRUCTION MEETING TO COORDINATE CONSTRUCTION SCHEDULES AND MAINTENANCE OF TRAFFIC.
3. LOCATION OF EROSION CONTROL DEVICES AND THEIR INSTALLATION SHALL BE DETERMINED BY THE CONTRACTOR. PLACE THE TOP OF CURBING ELEVATIONS ARE GIVEN IN THE FOLLOWING LOCATIONS: INLET'S GUTTER ELEVATION.
4. TOP OF CURBING ELEVATIONS ARE GIVEN IN THE FOLLOWING LOCATIONS: INLET'S GUTTER ELEVATION.

NO.	DATE	REVISIONS

PROJECT NO: 6396  
SHEET: 3 OF 6  
DATE: 08/17/2022  
SWPP PLAN

SECTION 02420 STORMWATER POLLUTION PREVENTION & EROSION CONTROL

- 1.1 RELATED WORK
1.2 REFERENCES
1.3 LOCAL JURISDICTION
1.4 MATERIALS

- 2. Connect subgrade soil prior to placing stone.
3. Place #2 stone to the dimensions indicated on the plan and in the Temporary Ground Construction Entrance Detail.
4. Compact stone by raking across the surface with a heavy roller.

- 2.1 MATERIALS
2.2 EROSION CONTROL
2.3 TEMPORARY GROUND CONSTRUCTION ENTRANCES

- 5. If assembling the all fence and post-on-site, drive the posts into the soil and then secure the all fence to the posts by placing a piece of wire over the fabric and fastening it to the post.
6. Use the wrap-joint method when joining posts.
7. Place the bottom 12 inches of all fence into the eight-inch deep trench, lightly tamping the four inches of the bottom of the trench and extending away from the hole.

- 2.4 TEMPORARY SEEDING
2.5 SLOPE PROTECTION
2.6 CURB AND GUT PROTECTION

- 8. Lay the lower four inches of filter fabric on the bottom of the trench and extend it toward the up-slope side of the trench.
9. Install support posts of least 18 inches into the ground, lightly tamping the fabric between the posts as each is driven into the soil.
10. Lay the lower four inches of filter fabric on the bottom of the trench and extend it toward the up-slope side of the trench.

- 2.7 SLOPE PROTECTION
2.8 CURB AND GUT PROTECTION
2.9 TEMPORARY SEEDING

- 11. Check outlets and make necessary repairs immediately.
12. When the work area has been stabilized, remove the fabric and stone from the site.
13. Remove sediment from the channel and stabilize the ridge as needed.

- 2.10 SLOPE PROTECTION
2.11 CURB AND GUT PROTECTION
2.12 TEMPORARY SEEDING

- 14. Lay the lower four inches of filter fabric on the bottom of the trench and extend it toward the up-slope side of the trench.
15. Install support posts of least 18 inches into the ground, lightly tamping the fabric between the posts as each is driven into the soil.

- 3.1 PLAN FOR THE FENCE TO BE AT LEAST 18 FEET FROM THE TOE OF THE SLOPE TO PROVIDE A SEDIMENT TRAP AREA.
3.2 PROVIDE ACCESS TO THE AREA FOR MAINTENANCE.
3.3 LOCATE ALL FENCE POINTS OF LOCATION SHOWN ON THE PLANS.
3.4 LOCATE THE OUTLET WEIR POINTS FOUR FEET APART AND PLACE A 2 X 4 BATTENED BRACE BETWEEN THE POINTS.

Table with 4 columns: Activity, Temporary Seeding, Slope Protection, and Curb and Gut Protection. Includes a 'REQUIREMENTS' section with a table of materials and quantities.

- 3.2 MAINTENANCE & INSPECTIONS
3.3 SLOPE PROTECTION
3.4 CURB AND GUT PROTECTION

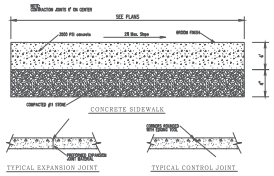
- 4. Perform removal of concrete blocks or debris on designated areas only.
5. Provide access to the area for maintenance.
6. Locate the outlet weir points four feet apart and place a 2 x 4 battened brace between the points.

- 7. Lay the lower four inches of filter fabric on the bottom of the trench and extend it toward the up-slope side of the trench.
8. Install support posts of least 18 inches into the ground, lightly tamping the fabric between the posts as each is driven into the soil.

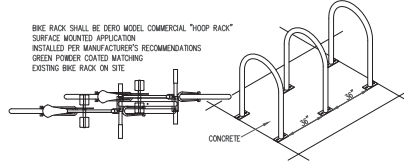
- 9. Lay the lower four inches of filter fabric on the bottom of the trench and extend it toward the up-slope side of the trench.
10. Install support posts of least 18 inches into the ground, lightly tamping the fabric between the posts as each is driven into the soil.

Vertical sidebar containing logos for 'S' (Stormwater Solutions), 'Natural Steel', and '626 N. COLLEGE AVENUE BLOOMINGTON, INDIANA'. Includes a 'REVISIONS' table and a 'DATE' field.



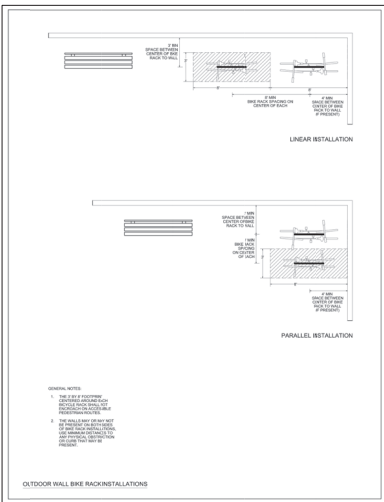


CONCRETE SIDEWALK DETAIL  
NO SCALE

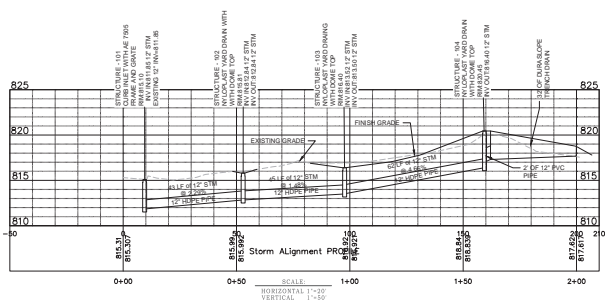


BIKE RACK DETAIL  
NO SCALE

BIKE RACK SHALL BE GERO MODEL COMMERCIAL "HOOP RACK" SURFACE MOUNTED APPLICATION INSTALLED PER MANUFACTURER'S RECOMMENDATIONS GREEN POWDER COATED FINISHING EXISTING BIKE RACK ON SITE



GENERAL NOTES:  
1. SEE S&P FOR CONCRETE SIDEWALK AND BIKE RACK DETAILS.  
2. THE WALL MOUNTED BIKE RACK SHALL BE INSTALLED ON THE EXTERIOR SIDE OF THE SIDEWALK.  
3. THE WALL MOUNTED BIKE RACK SHALL BE INSTALLED ON THE EXTERIOR SIDE OF THE SIDEWALK.  
4. THE WALL MOUNTED BIKE RACK SHALL BE INSTALLED ON THE EXTERIOR SIDE OF THE SIDEWALK.



09/27/2022

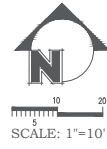
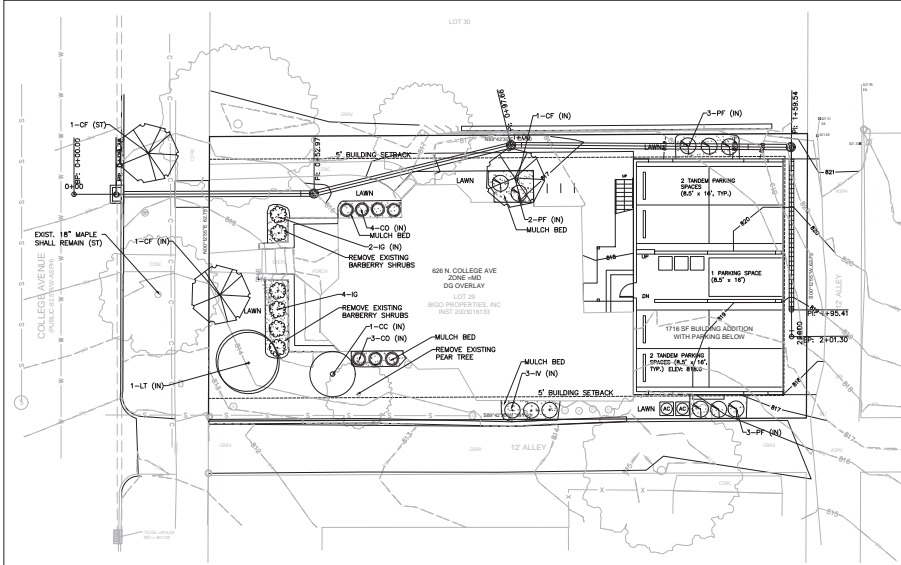
626 N. COLLEGE AVENUE  
BLOOMINGTON, INDIANA

REVISIONS	BY	DATE

DK WJW

PROJECT NO. 6396  
SHEET 5 OF 6  
DATE 08/17/2022

CIVIL DETAILS AND PROFILE

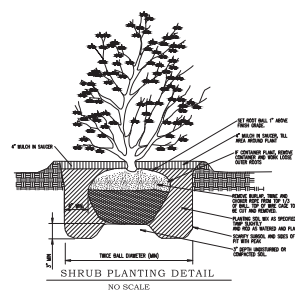
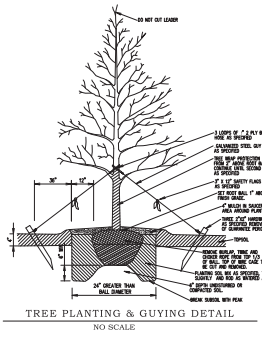


**626 College Ave Multifamily**  
 Zone-MID-DG Zone

**Streetscape Landscape**  
 1 tree per every 40' of right of way required.  
 College Ave W/Width: 2 trees required, 1 18" maple preserved; one new tree added. A small tree was used because of the proximity of other large trees.

**Parking lot Perimeter:**  
 All spaces are within the building

**Interior plantings MID District**  
 Total area = 8270 SF  
 Building, sidewalk, and pavement area = 5472 SF  
 Area not covered by building, sidewalk, and pavement = 2804 SF  
 1 large canopy trees per 500 sf, and 8 shrubs per 500 sf required  
 6 trees required and 45 shrubs required, 3 small trees were provided, and 1 large tree provided.  
 No other trees provided due to lack of space on the property.  
 24 shrubs provided. No other shrubs were provided due to lack of space.



PLANT TABLE			
C	E	G	
BOTANICAL NAME	COMMON NAME	SIZE	
<b>TREES</b>			
CF 3	CORNUS florida	Flowering Dogwood	2" Caliper
CC 1	CERES canadensis	Redbud	2" Caliper
LT 1	LIRIODENDRON tulipifera	Tulip Tree	2" Caliper
<b>SHRUBS</b>			
CO 7	CENTAURIS occidentalis	Butterbush	3 Galton
IG 6	ILEX glabra	Hollyberry	3 Galton
IV 3	ILEX virginica	Winged Sweetgum	3 Galton
PF 8	POTENTILLA fruticosa	Shrubby Cinqufoil	3 Galton

**LANDSCAPE NOTES**

1. PLANT MATERIAL SUBSTITUTIONS MUST BE APPROVED BY THE CITY PLANNING DEPARTMENT.
2. ALL LANDSCAPED AREAS SHALL BE MAINTAINED BY THE CITY PLANNING DEPARTMENT.
3. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PERMITS AND NEW LANDSCAPING AS SHOWN ON THE PROJECTIONS.

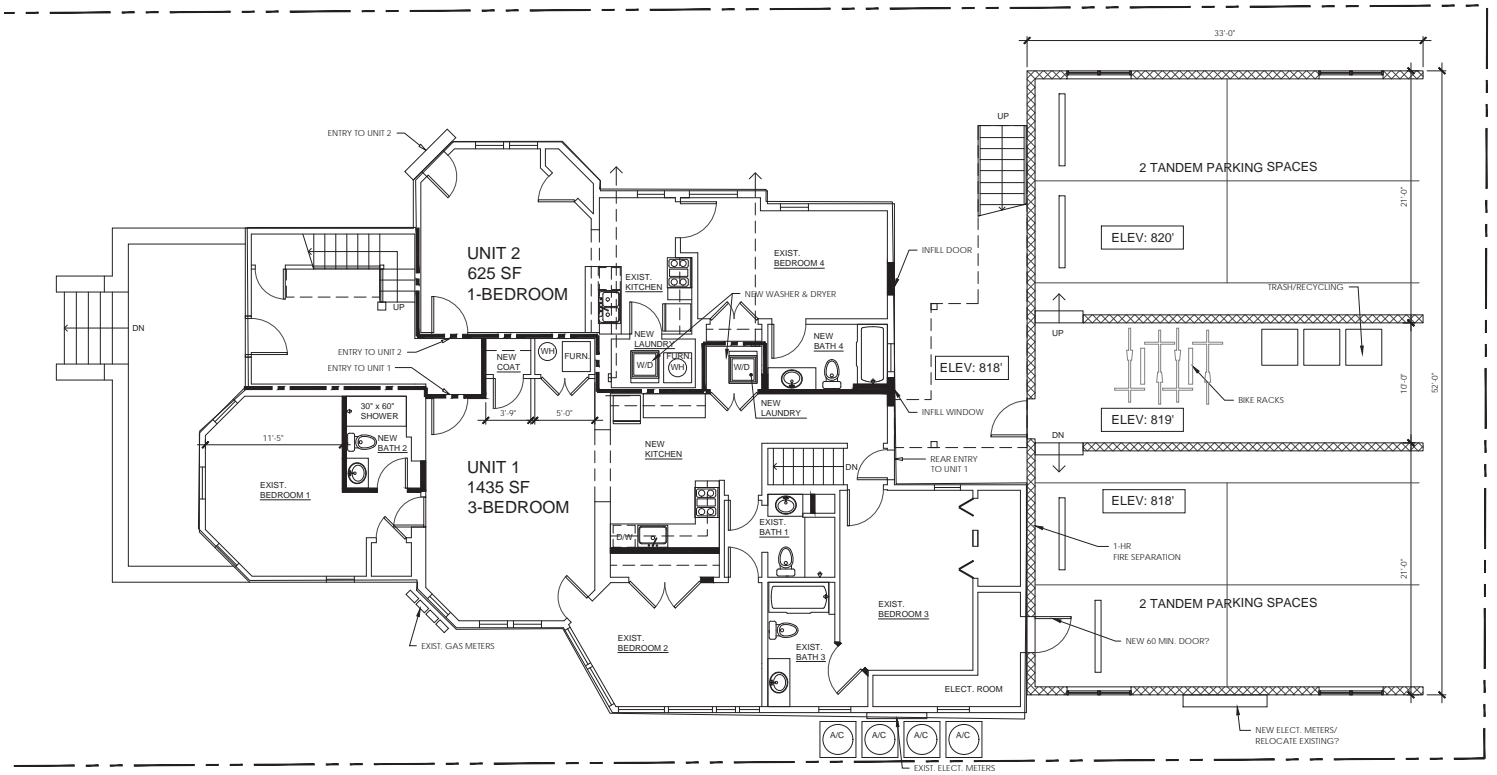
**FINISH LAWN TYPE**  
 PERIODIC MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER. THE CITY OF BLOOMINGTON SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LAWN.

UDO LANDSCAPE CATEGORIES	
INTERIOR PLANTING PLANTING	SI
STREET TREE	SI

**GENERAL NOTES**

1. SEE SARTH DESIGN GROUP 2021 STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS.
2. CONTRACTOR SHALL CONTACT WITH CITY PLANNING AND TRANSPORTATION, ENGINEERING AND CITY OF BLOOMINGTON OFFICES FOR PRE CONSTRUCTION MEETING TO COORDINATE CONSTRUCTION SCHEDULES AND MAINTENANCE OF TRAFFIC.
3. LOCATION OF EXISTING UTILITIES AND TREE PRESERVATION TO BE FIELD BY THE CONTRACTOR. FIELD BY THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PERMITS AND NEW LANDSCAPING AS SHOWN ON THE PROJECTIONS.
4. TOP OF FINISH ELEVATIONS ARE GIVEN IN THE FOLLOWING LOCATIONS: MANHOLE RISE ELEVATION, METEORIC GUTTER ELEVATION.





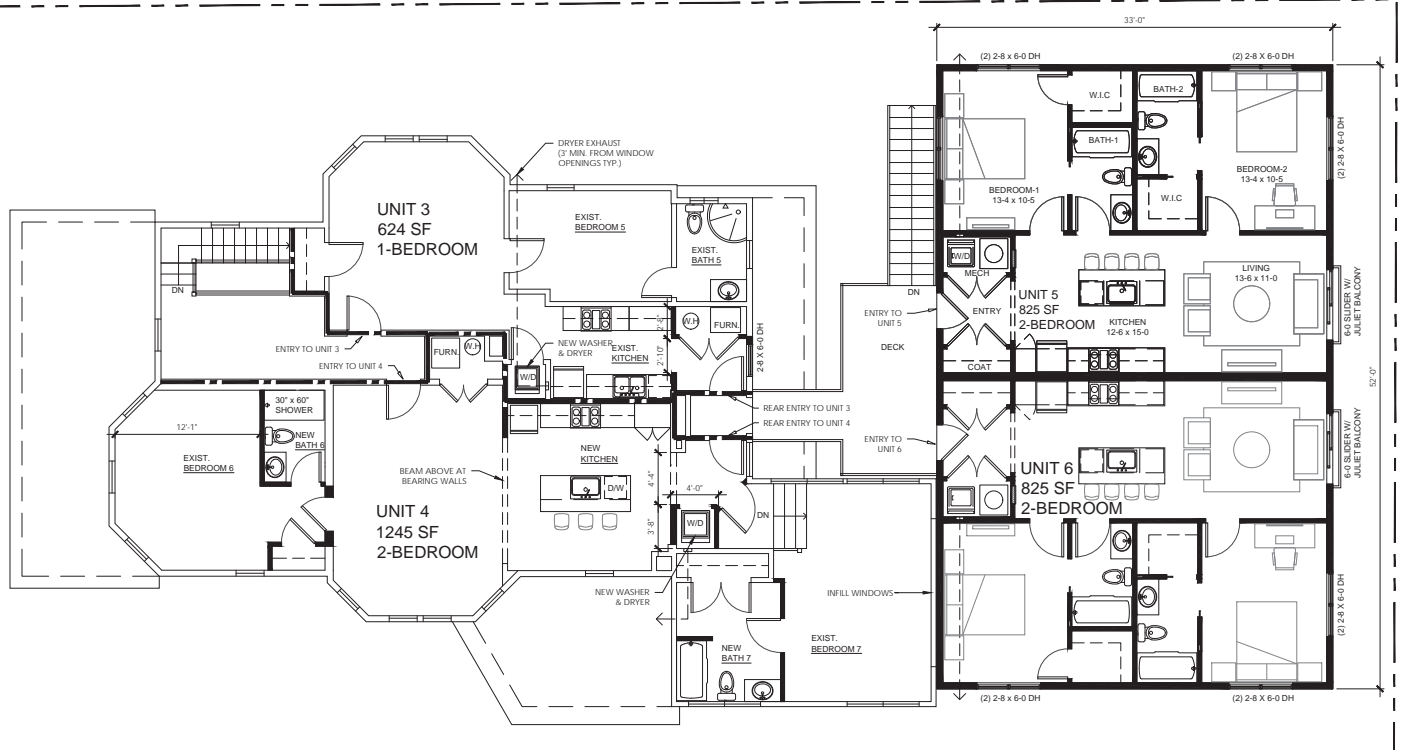

**PROPOSED**  
**FIRST FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

\*NEW 13R SPRINKLER THROUGHOUT AND  
 1-HOUR FIRE SEPARATION BETWEEN UNITS.  
 (CONFIRM WITH RTM)

626 N COLLEGE

9.7.2022





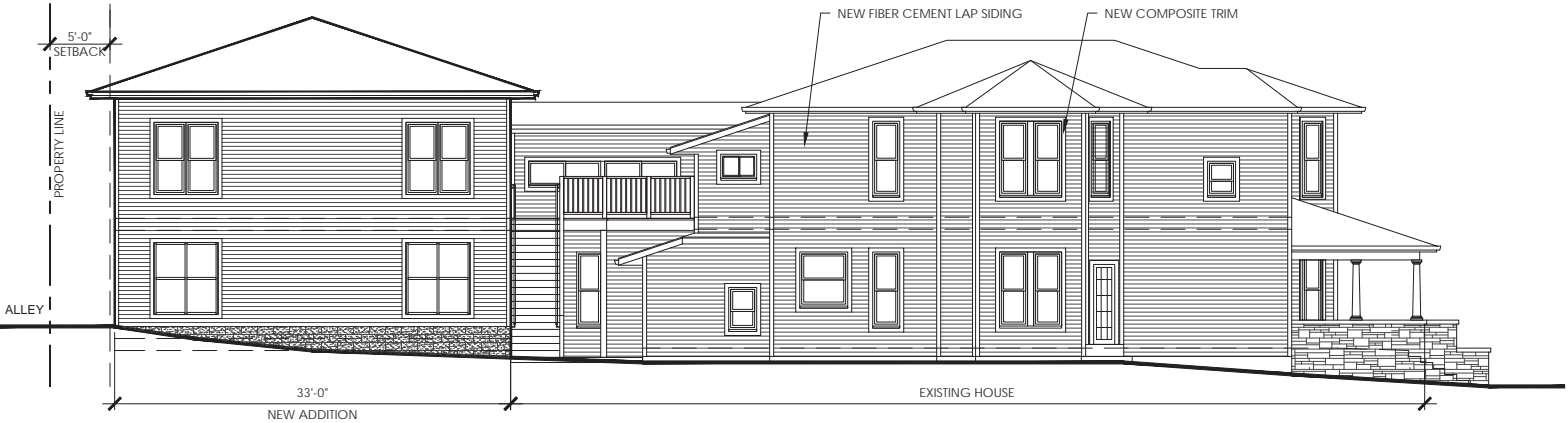
PROPOSED  
SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"

626 N COLLEGE

9.7.2022







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



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

626 N COLLEGE

2.1.2022





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

626 N COLLEGE

2.1.2022

