

CITY OF BLOOMINGTON



July 20, 2023 @ 5:30 p.m.

City Hall, 401 N. Morton Street

Common Council Chamber, Room #115

<https://bloomington.zoom.us/j/82291963393?pwd=OXZONjVYdjZtRTgxMXhnNXgyK0lmdz09>

Meeting ID: 822 9196 3393

Passcode: 025372

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

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

July 20, 2023 at 5:30 p.m.

❖Virtual Meeting:

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Meeting ID: 822 9196 3393
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Petition Map: <https://arcg.is/1DfCeP>

ROLL CALL

APPROVAL OF MINUTES: May 25, 2023

PETITIONS CONTINUED TO: August 24, 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

PETITIONS:

V-18-23 **IU Health**
727 W. 2nd Street
Parcel: 53-08-05-100-060.000-009
Request: Variance from parking standards to allow parking in the front parking
setback and to allow back-out parking on an alley in the Mixed-Use Institutional
(MI) zoning district. Also requested in a variance from required sidewalk and tree
plot width. Case Manager: Eric Greulich

V-19-23 **Caritas Indiana, LLC**
1420 W. Kirkwood Avenue
Parcel(s): 53-05-32-307-106.000-005

****Next Meeting: August 24, 2023**

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact Melissa Hirtzel at hirtzelm@bloomington.in.gov and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

Request: Variance from architecture standards to allow the construction of an 8 unit multifamily building in the Residential High Density Multifamily (RH) zoning district. Case Manager: Eric Greulich

CU/V-20-23 **Daniel Weddle**
917 N. Fairview Street
Parcel(s): 53-05-32-104-005.000-005
Request: Conditional Use approval for expansion of an existing dwelling duplex. Also requested is a variance from use-specific standards.
Case Manager: Jackie Scanlan

V-21-23 **Community Kitchen of Monroe County**
1100 W. 11th Street
Parcel(s): 53-05-32-207-050.000-005
Request: Variances from three (3) site development standards: Drive access off of higher classified street, parking setback from building face, and parking increase. Case Manager: Jackie Scanlan

****Next Meeting: August 24, 2023**

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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.

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BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 727 W. 2nd Street

CASE #: V-18-23
DATE: July 20, 2023

PETITIONER: IU Health
950 N. Meridian Street #1100, Indianapolis, IN

CONSULTANTS: Bynum Fanyo and Associates, Inc.
528 N. Walnut Street, Bloomington, IN

REQUEST: Variance from parking standards to allow parking in the front parking setback and to allow back-out parking on an alley in the Mixed-Use Institutional (MI) zoning district. Also requested is a variance from required sidewalk and tree plot width.

REPORT: The property is located at 727 W. 2nd Street and is zoned Mixed-Use Institutional (MI) and is within the Transform Redevelopment Overlay (TRO) district. Surrounding zoning includes Residential Urban (R4) to the north, Mixed-Use Neighborhood Scale (MN) and Residential Small Lot (R3) to the west, Mixed-Use Medium Scale (MM) and Mixed-Use Institutional (MI) to the east, and Residential Urban (R4) to the south. The surrounding properties have been developed with a mix of single and multi-family residences to the north and south, and offices to the west and east. There are no known regulated environmental features on the site and it has several trees along the property border with no known sensitive environmental features.

The site has been developed with a 40,000 square foot building that is rated as a “Notable” structure in the Bloomington Historic Sites and Structures Survey. The building is currently being utilized by IU Health for offices and will continue to be used in that capacity. No changes to the building are proposed. The property has frontage on 2nd Street to the north and 1st Street to the south and there is a 12’ platted alley that runs along the east side of the property connecting to 2nd Street and 1st Street.

There is a large surface parking area on the rear of the property that is between the building and 1st Street that the petitioner is proposing to remove and expand in order to construct a new parking area with 162 parking spaces. The parking area is currently accessed from the alley on the east side of the property and from 1st Street to the south. The construction and expansion of the parking area requires the site to come into compliance with the Limited Compliance standards of Section 20.06.090(f)(2)(B) which includes new landscaping throughout the property, bike racks, and pedestrian facilities on both frontages with street trees. A sidewalk connection from 1st Street to the building will be required to provide pedestrian access.

The UDO requires that parking must be set back 20’ behind the front building wall. Since the property is a through lot with frontage on two streets and the only building on the property is along 2nd Street, the petitioner is requesting a variance from the front yard parking setbacks to allow the parking area to be located between the building and 1st Street. The petitioner is also requesting a variance from Section 20.04.060(i)(5)(C) to allow 7 parking spaces to directly access the north/south alley on the east side of the property. Since the property is more than 20,000 square feet, they do not qualify for the back-out parking waiver are not allowed parking directly off of the alley. The

petitioner is also requesting a variance from the required width of a pedestrian facility and tree plot along 2nd Street to allow a 5' wide sidewalk and 5' tree plot instead of the required 10' sidewalk and 8' tree plot.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

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

PARKING SETBACK PROPOSED FINDING: The granting of the variance to allow parking between the building and 1st Street will not be injurious to the public health, safety, morals, or general welfare of the community as the building and parking area currently exist in this configuration with no known adverse impacts. A sidewalk connection from 1st Street to the building will be required to provide pedestrian access to the building from 1st Street to offset the presence of the parking area between the building and 1st Street that limits pedestrian access.

BACK OUT ALLEY PARKING PROPOSED FINDING: The granting of the variance to allow back-out parking directly off of the alley would be injurious to the public health, safety, morals, and general welfare of the community as the intent with this standard is to require properties larger than 20,000 square feet to accommodate parking within the site since they are larger and able to install a typical parking area within the property. In addition, as part of the redevelopment of the former Hospital site it is anticipated that this alley will play a larger role in access to adjacent lots and the presence of parking directly off of the alley could cause conflicts with anticipated increased traffic moving through this area. The regulations within the TRO district require all access to come from alleys, therefore increasing the need to limit possible conflicts with turning movements and parking off of alleys in this area.

SIDEWALK AND TREE PLOT WIDTH PROPOSED FINDING: The granting of the variance to not require the sidewalk width and tree plot width outlined in the Transportation Plan and TRO would be injurious as this would conflict with the rest of the improvements that the City is proposing along this corridor. As part of the improvements along the 2nd Street corridor for the redevelopment of the former Hospital site, the City will be widening the street, improving the tree plot, and installing a new continuous sidewalk system along the entire 2nd Street corridor. The Department will work with the petitioner on coordinating and installing the required improvements along this frontage, however not requiring full compliance with the anticipated improvements would be injurious to the public health, safety, morals, and general welfare.

- 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.*

PARKING SETBACK PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the request to have parking between the building and 1st Street are found. The property currently exists in this situation with no known adverse impacts on the use and value of adjacent properties. No additional burdens are placed on the surrounding uses with the proposed design.

BACK OUT ALLEY PARKING PROPOSED FINDING: The Department does find adverse impacts on the use and value of adjacent properties by allowing parking to directly access the alley as it will increase turning movements along the alley into the parking spaces and possibly conflict with access to adjacent properties as the area redevelops. The site is large enough to provide parking internal to the site in a manner consistent with the UDO standards.

SIDEWALK AND TREE PLOT WIDTH PROPOSED FINDING: The Department does find adverse impacts on the use and value of adjacent properties by not requiring a sidewalk and tree plot width that are consistent with the City's planned improvements as this would reduce the area available for pedestrians and space for street trees. The City is investing substantially along this corridor for these improvements to increase the use and value of this entire area.

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

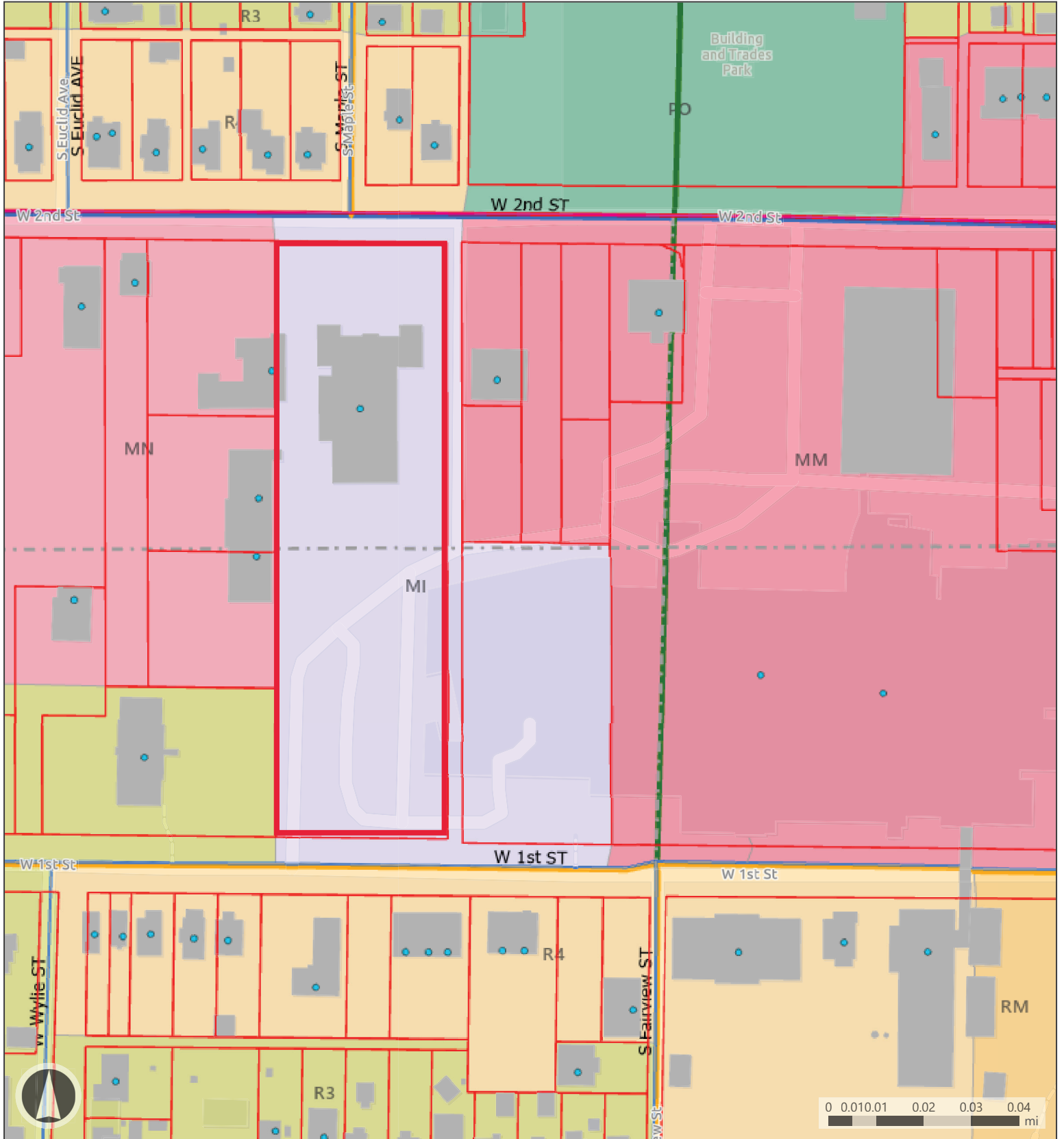
PARKING SETBACK PROPOSED FINDING: The Department does find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that it would not allow any parking to be installed on the site without constructing a new building along 1st Street. The practical difficulties are peculiar to the property in question as this lot has frontage on two streets and has been developed with a historic building that only fronts on 2nd Street, which has been the historic pattern in this neighborhood. The granting of the variance will relieve the practical difficulties by allowing the existing parking area to be redeveloped in the same location and meet all of the current standards of the UDO including landscape islands and landscaping throughout the site.

BACK OUT ALLEY PARKING PROPOSED FINDING: The Department does not find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property since there is a large parking area proposed within the site that meets all of the UDO requirements. There do not appear to be any practical difficulties that are peculiar to the property that require the proposed parking spaces to directly access the alley rather than internally to the site as required.

SIDEWALK AND TREE PLOT WIDTH PROPOSED FINDING: The Department does not find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property by installing the required 10' sidewalk and 8' tree plot. There is substantial space along the front of this property to install the required width for the sidewalk and tree plot. There do not appear to be any practical difficulties that are peculiar to the property that prevent the petitioner from installing the pedestrian improvements and tree plot as required and consistent with the improvements that the City is making along this entire corridor. Although there is a retaining wall along this frontage, it is not part of the historic character of the property and moving the wall to accommodate the required pedestrian facilities would therefore not impact the historic features of the site.

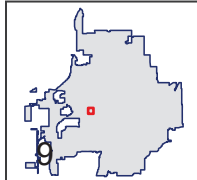
RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the variance to allow parking within the front parking setback and deny the variances for back out alley parking and reduced sidewalk and tree plot width with the following conditions:

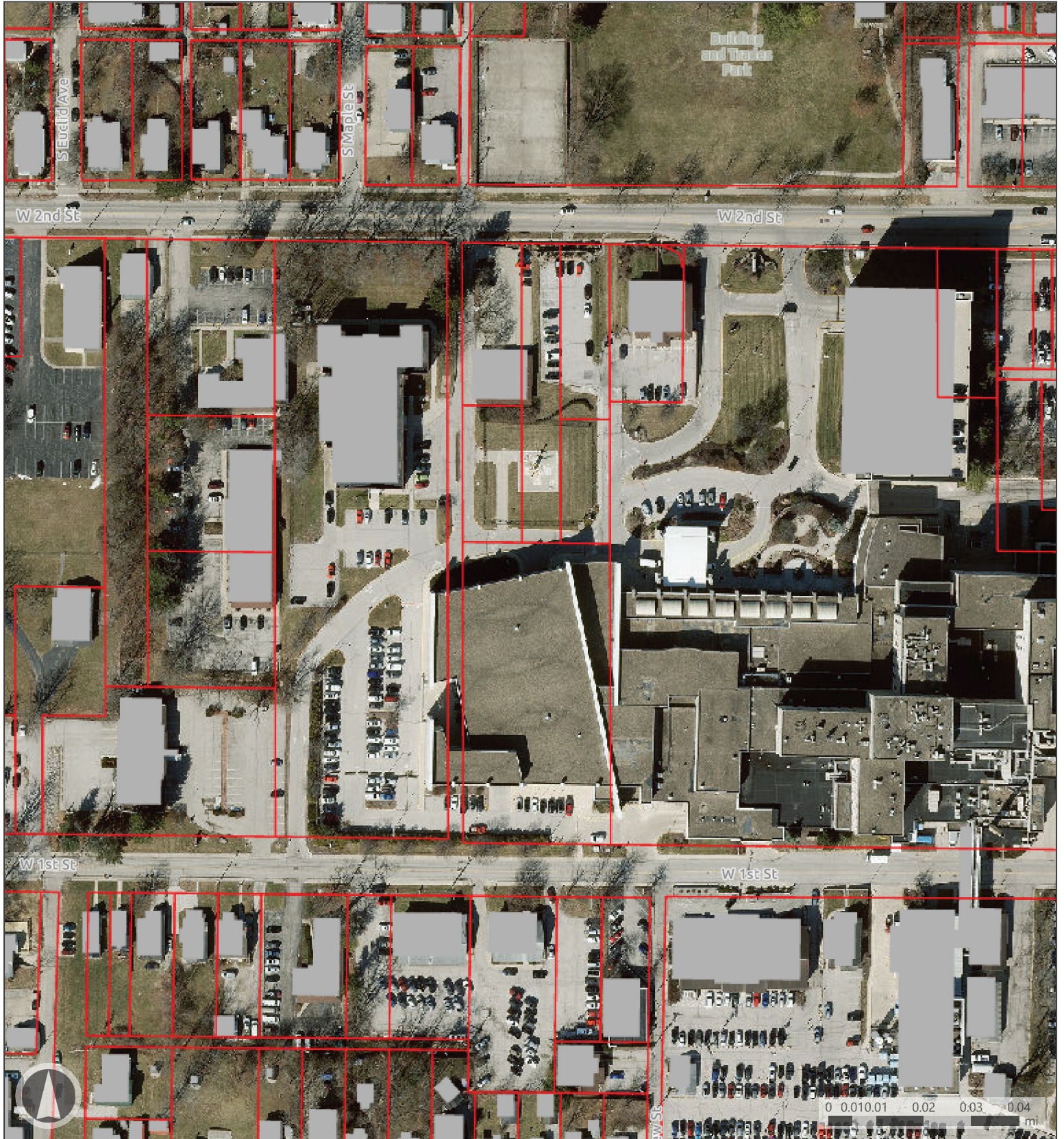
1. A sidewalk connection from 1st Street to the building is required.
2. The petitioner shall work with the City Engineering department to either dedicate the appropriate right-of-way to be improved with the City project or install improvements along the 2nd Street frontage consistent with the City's improvements.



Map Legend

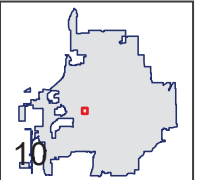
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|----------------|--------------------------|----------------------------------|
| Parcels | Street Typology | Functional Classification |
| Address Points | General Urban | Primary Arterial |
| Buildings | Neighborhood Residential | Primary Collector |





Map Legend

-  Parcels
-  Buildings





BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

May 22, 2023

Eric Greulich
City of Bloomington Planning Department
401 N. Morton Street
Bloomington, Indiana 47404

RE: Hunter School Property site – 727 W 2nd Street, Bloomington, IN 47401
Limited compliance and site variances request Petitioner’s Statement

Eric Greulich or To Whom It May Concern:

Our client, IU Health, respectfully requests limited compliance plan approval for the referenced project and to be placed on the next BZA agenda for three (3) variances as noted below.

Project Narrative:

The proposed development is the old MCCSC Hunter School building consisting of keeping with existing use of ‘medical clinic’ in this existing brick building. The existing building includes 40,060 sq. ft. of usable gross floor area.

The site is 2.90 acres and is located in the MI zoning district at the southern side of the Downtown Gateway Overlay District. Our proposed design includes 153 paved parking spaces with 7 ‘ADA’ parking paved parking spaces for a total of 160. The proposed site impervious area is 59.3% (1.72 acres). The proposed site plan also will include 10 class I bicycle parking spots.

Site Plan Variances Request:

1. Front Yard Parking Setback – The proposed parking field is at the rear of the existing Hunter School building. This violates the UDO front yard setback. However, this lot has a couple unique characteristics that causes this violation:
 - a. The lot has frontage on two City streets (1st Street and 2nd Street)
 - b. The lot has a pre-existing historical building that will be re-used for this project proposal that cannot be moved to fit parking.

2. Backout parking into east alley – there is existing parking that currently backs into the existing eastern platted alley. This existing condition violates the UDO due to another unique characteristic:
 - a. The lot has a pre-existing historical building and east side parking field that is planned to be re-used.

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

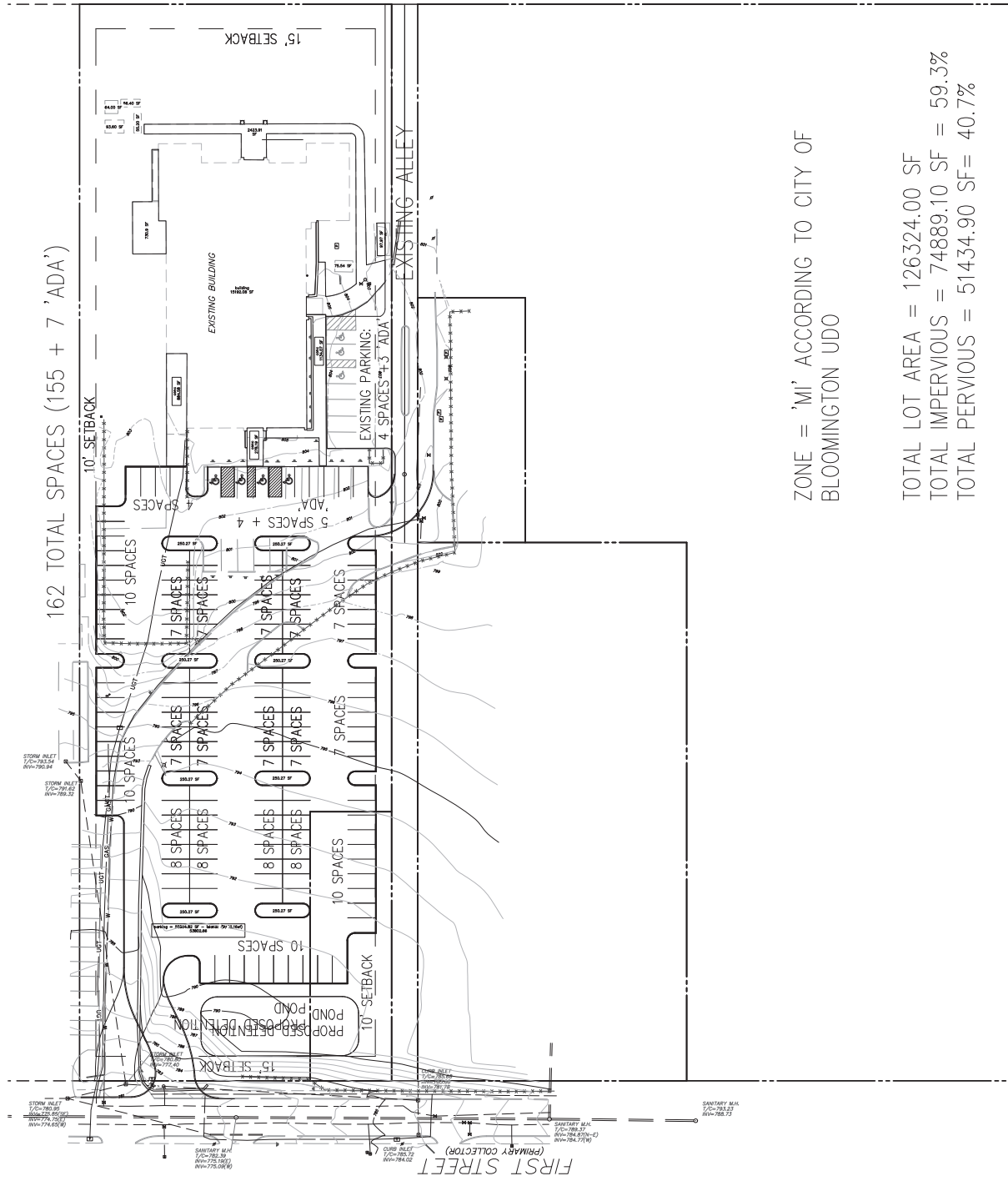
3. Re-construct 2nd Street sidewalk and tree plot – Requirement from City is expand tree plot and sidewalk along 2nd street to 8’ and 10’, respectively. Currently, 2nd street frontage has 5’ tree plot with 5’ sidewalk. Again, there are existing conditions of this site that makes it unique to not be able to meet this requirement:
 - a. A large existing retaining wall right at back of current sidewalk that would need to be removed and rebuilt to expand sidewalk and tree plot.
 - b. Large, beautiful maple trees that would be difficult to keep if expanded walk and tree plot were required. These trees are approx.. 30” caliper and are 15’ beyond retaining wall.

After you have had a chance to review our petition, please feel free to contact us at anytime questions regarding our submission.

Sincerely,
Bynum Fanyo & Associates, Inc.

Daniel Butler, PE, Project Engineer

162 TOTAL SPACES (155 + 7 'ADA')



ZONE = 'M', ACCORDING TO CITY OF BLOOMINGTON UDO

TOTAL LOT AREA = 126324.00 SF
 TOTAL IMPERVIOUS = 74889.10 SF = 59.3%
 TOTAL PERVIOUS = 51434.90 SF = 40.7%



NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY CITY ENGINEER OF ANY DISCREPANCIES. ALL CONFLICTS PRIOR TO & AFTER ANY EXCAVATION, NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO COMPLETING ELEVATIONS.

revisions:

ARCHITECTURE	BYNUM FAYO & ASSOCIATES, INC.	528 North Walnut Street Bloomington, Indiana (812) 332-8030
CIVIL ENGINEERING		
PLANNING		

verified by:

PROPOSED	HUNTER SCHOOL PROPERTY	727 WEST SECOND STREET BLOOMINGTON, IN 47403
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TITLE: OVERALL SITE LAYOUT PLAN & PROPOSED EXHIBIT

designed by: DIB
 drawn by: DIB
 checked by: DIB
 sheet no.: 0301
 project no.: 402316

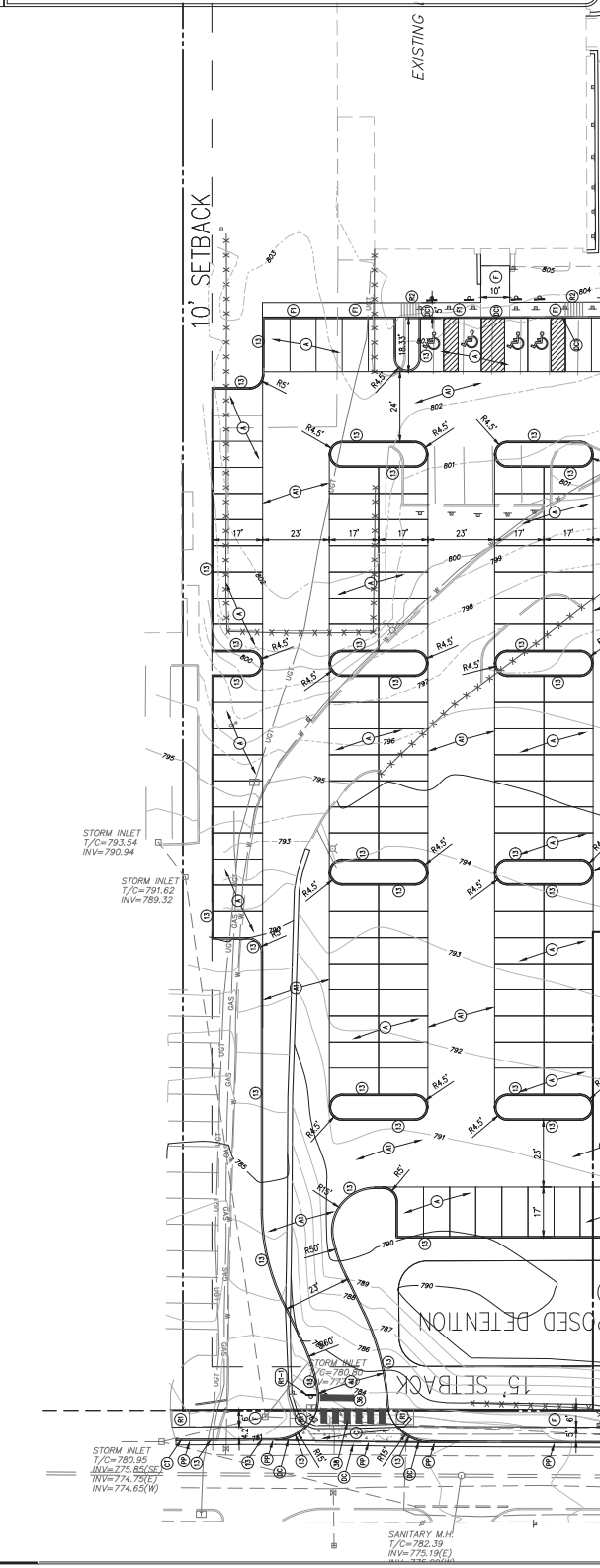
revisions:

SITE IMPROVEMENT LEGEND

- ① PROPOSED ROAD BURNINGS PAVEMENT - REFER TO DETAIL
- ② PROPOSED IMPROVED CONCRETE PAVEMENT - REFER TO DETAIL
- ③ PROPOSED IMPROVED ASPHALT PAVEMENT - REFER TO DETAIL
- ④ PROPOSED CONCRETE PAVEMENT AS SEPARATE - REFER TO PLAN FOR LOCATIONS AND REFER TO DETAIL
- ⑤ PROPOSED MORTARING CURB AND SIDEWALK - REFER TO DETAIL
- ⑥ PROPOSED 6" FINISH CONCRETE CURB - REFER TO DETAIL
- ⑦ PROPOSED 4" FINISH CONCRETE CURB - REFER TO DETAIL
- ⑧ PROPOSED 4" FINISH CONCRETE CURB WITH 1/4" CURB HEIGHT TO BE A 1/2" DISTANCE TO THE EXISTING CURB AND 1/4" CURB HEIGHT TO BE A 1/2" DISTANCE TO THE EXISTING CURB AND 1/4" CURB HEIGHT
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- ㊼ PROPOSED 6" FINISH CONCRETE CURB WITH 1/4" CURB HEIGHT TO BE A 1/2" DISTANCE TO THE EXISTING CURB AND 1/4" CURB HEIGHT TO BE A 1/2" DISTANCE TO THE EXISTING CURB AND 1/4" CURB HEIGHT
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- ㊾ PROPOSED 6" FINISH CONCRETE CURB WITH 1/4" CURB HEIGHT TO BE A 1/2" DISTANCE TO THE EXISTING CURB AND 1/4" CURB HEIGHT TO BE A 1/2" DISTANCE TO THE EXISTING CURB AND 1/4" CURB HEIGHT
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EXISTING LEGEND

- EXISTING FENCE
- EXISTING WATER LINE
- EXISTING OVERHEAD UTILITY LINES
- EXISTING UNDERGROUND UTILITY LINES
- EXISTING UNDERGROUND TELEPHONE LINES
- EXISTING UNDERGROUND FIBER OPTIC LINES
- EXISTING GAS LINE
- EXISTING SANITARY FORCE MAIN
- EXISTING ELEVATION CONDUIT LINE
- EXISTING SANITARY SEWER AND MANHOLE
- EXISTING STORM SEWER AND INLET
- PROPERTY LINE



NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL UTILITIES BEFORE ANY EXCAVATION. NO DAMAGE TO EXISTING UTILITIES SHALL BE MADE. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL UTILITIES BEFORE ANY EXCAVATION. NO DAMAGE TO EXISTING UTILITIES SHALL BE MADE. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL UTILITIES BEFORE ANY EXCAVATION. NO DAMAGE TO EXISTING UTILITIES SHALL BE MADE.

designed by: DIB
 drawn by: DIB
 checked by: DIB
 sheet no.: 402316
 project no.: 402316

727 WEST SECOND STREET
 BLOOMINGTON, IN 47403
 HUNTER SCHOOL PROPERTY
 IU HEALTH
 PROJECT

528 North Walnut Street
 Bloomington, Indiana
 (812) 332-8030
 BRYAN FAYO & ASSOCIATES, INC.
 CIVIL ENGINEERING
 PLANNING
 ARCHITECTURE

verified by:

TITLE: SITE IMPROVEMENT
 SCALE: 1"=20'

**BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1420 W. Kirkwood Ave**

**CASE #: V-19-23
DATE: July 20, 2023**

PETITIONER: Adam Jackson (Caritas-Indiana, LLC)
4431 Hickory Stick Row, Greenwood, IN

CONSULTANTS: Springpoint Architects, Inc.
522 W. 2nd Street, Bloomington

REQUEST: Variance from architecture standards to allow the construction of a 16-unit multifamily building in the Residential High Density Multifamily (RH) zoning district.

REPORT: This 50'x141' (7,050 sq. ft.) property is located at 1420 W. Kirkwood Ave and is zoned Residential High-Density Multifamily (RH). The property is developed with a single family residence and detached accessory garages. Surrounding properties to the east and west are zoned Residential High-Density Multifamily (RH), Residential Multifamily (RM) to the north, and Mixed Use Medium Scale (MM) to the south. Surrounding land uses include single and multifamily residences to the north, a contractor's yard to the east, a mobile home park to the west, and a church to the south. The property has public roads running along the south (W. Kirkwood Ave.) and west (N. Hopewell St.) property lines. There are no known sensitive environmental features on the site.

This site received previous approvals including a variance from sideyard building setbacks (V-34-22) and a variance from architectural standards (V-48-22) for a proposed four-story multifamily building with 16 units. However, due to projected construction costs the petitioner has had to redesign the development plans for the site and is now proposing a 2-story multifamily building with 8 dwelling units instead. The overall site plan has stayed the same and includes the construction of 2 new on-street parking spaces on Kirkwood Avenue and 5 on-street parking spaces on Hopewell Street. There are no on-site parking spaces required or proposed. New 6' wide concrete sidewalks will be required along both frontages and have been shown. New landscaping will also be installed within the site as well as a minimum of 6 bicycle parking spaces.

The petitioner is requesting a variance from Section 20.04.070(d)(3)(J) of the Building Design standards due to the difficulty of designing a building that meets all of the architectural standards on this narrow lot. The petitioner has been able to incorporate several elements and design features on the building to meet the desired goals of the architectural standards, however full compliance is not possible on this narrow lot with this proposed residential-style building. The petitioner has incorporated defined breaks in the height of the building along the length of the building, a change in building height of 2' at the center of the building, regular pattern of windows along all four sides of the ground floor, and included awnings along the ground floor windows and at the entrances.

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE
20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:**

A variance from the development standards of the Unified Development Ordinance may be approved

only upon determination in writing that each of the following criteria is met:

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

PROPOSED FINDING: The granting of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. There will be no impact to the overall safety in the design of the building with the granting of this variance.

- 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.*

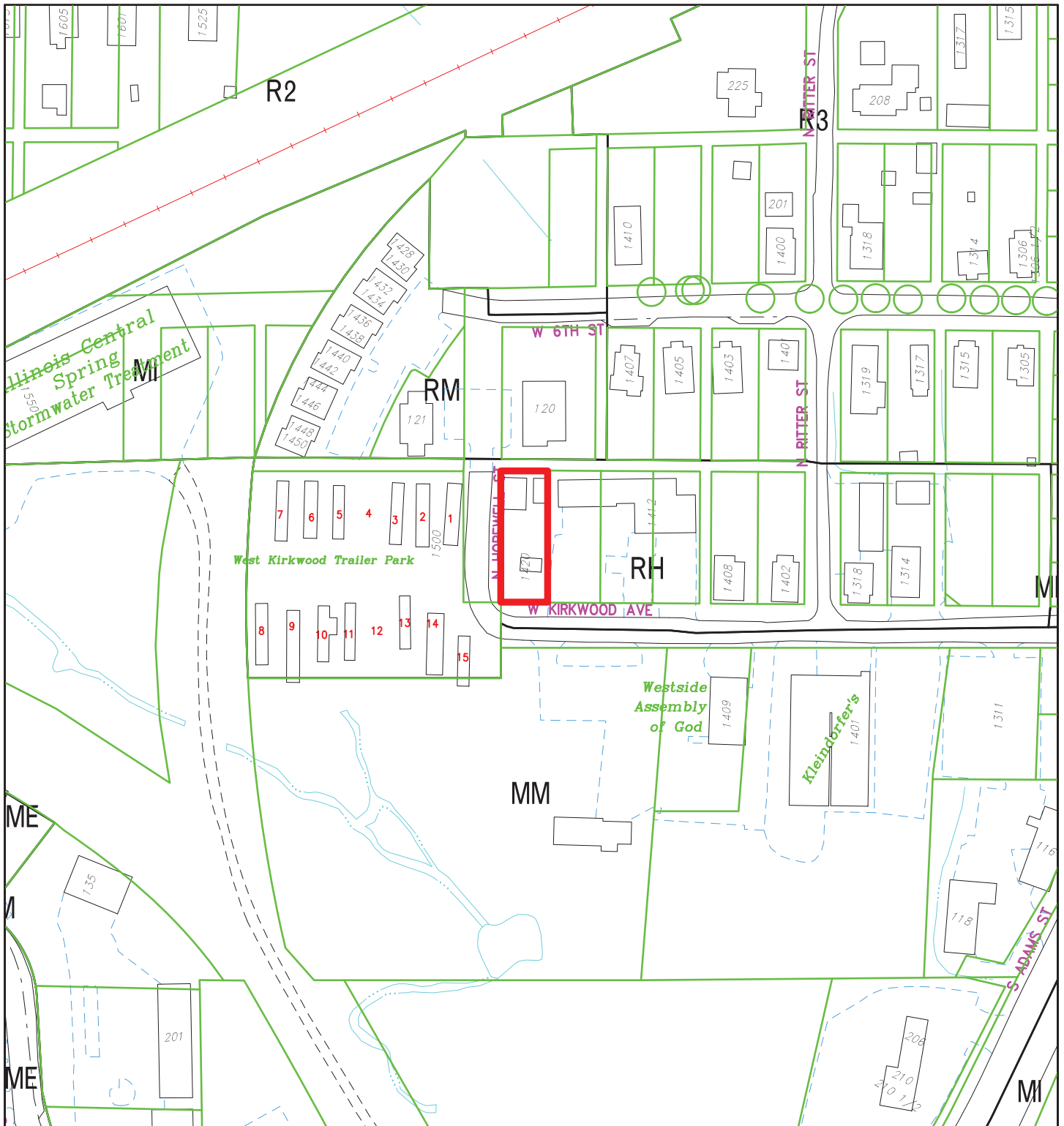
PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The building will meet all building code standards. The reduction in change in building height, modulation, and amount of ground floor windows is not expected to impact the use or value of the areas adjacent to the property. The overall design of the building has incorporated all of the required design elements, however full compliance is not possible due to the property size and building use.

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

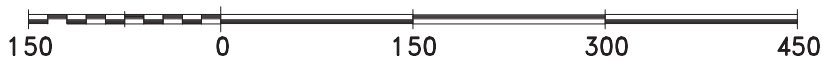
PROPOSED FINDING: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as they would not allow for the property to be developed in any manner consistent with this zoning district due to the narrow width of the lot. The amount of buildable area and width of the lot allows for only a 25' wide building. The 116' length of the building requires 3.48' of modulation on each side and in essence further reduces the width of a building by almost 7' more, reducing the buildable area to only 18' wide. Although the petitioner has incorporated ground floor windows on all four sides, it is not possible to incorporate a minimum 30% void-to-solid. The practical difficulties are peculiar to the property in question because the width and size of the property in combination with the required setbacks do not allow for a building to be designed to be appropriate for this area to occur on the property without the granting of a variance. The petitioner has designed the building to include the all of the required design elements, however full compliance is not possible. The granting of the variance allows for the property to be redeveloped in a manner consistent with the Comprehensive Plan, zoning district, and provide improvements to the area.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-19-23 with the following condition:

1. Site plan approval is required prior to issuance of a grading permit.
2. This approval is for the submitted site plan and elevations only.

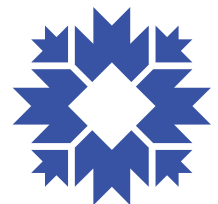


By: greulice
19 Aug 22

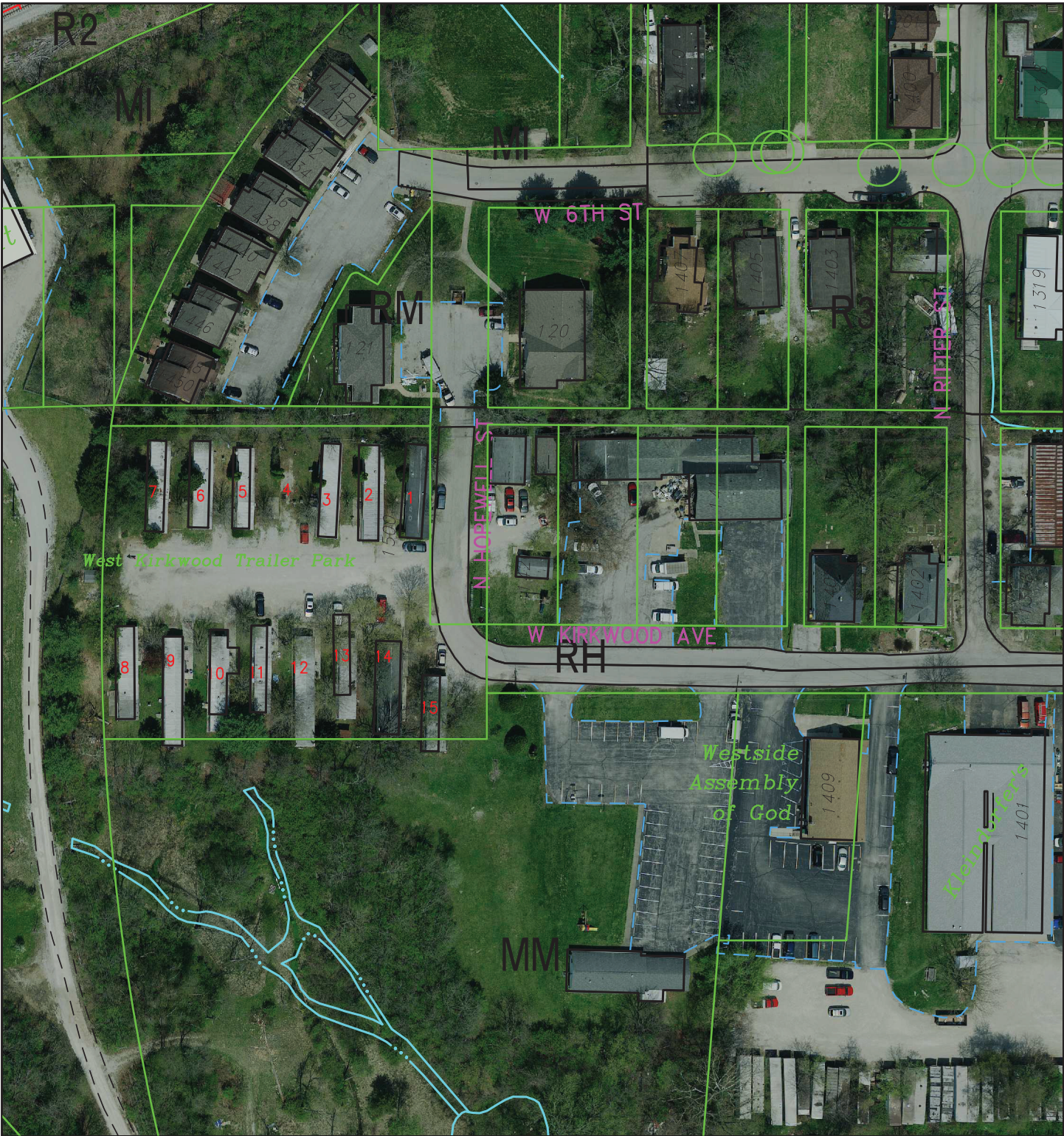


For reference only; map information NOT warranted.

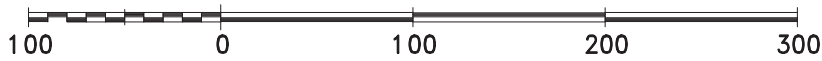
City of Bloomington
Planning



Scale: 1" = 150'

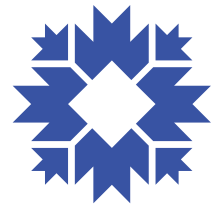


By: greulice
19 Aug 22



For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 100'



June 21, 2023

Eric Greulich
Senior Zoning Planner
City of Bloomington
401 N. Morton Street
Bloomington, IN 47404

Re: Caritas-Indiana 1401 W. Kirkwood Avenue Apartments

Dear Mr. Greulich & Board of Zoning Appeals Members,

Caritas-Indiana, seeks to build a (2) story, eight (8) unit apartment building at 1420 W. Kirkwood Avenue. This affordable housing project will meet the rent requirements for the HUD Housing Choice Voucher Program Section 8.

The site is a corner lot in the Residential High Density (RH) zone, with front setbacks that are 15 feet and the side setbacks that are 10 feet. The property dimensions are 50 feet by 141 feet which, after the setbacks, leaves an allowable building footprint of 25 feet x 116 feet.

Due to the long, thin proportion of the site, the architecture of the project is unable to fully meet the exterior façade provisions on the east and west sides of the building design as stated in the Unified Development Ordinance amended on 4/30/2023. We are therefore requesting a variance from the Building Design Exterior Façade provision due to practical difficulties created by the shape of the site.

The east and west elevations of the building meet two (2) of the three (3) required elements possible:

Awning/Canopy

Awnings or canopies are provided within each building module.

Change in Building Height

The gable roof of the building is broken at the stairs with a flat roof section creating a height difference of more than 5'. At the middle of the building, there is a 2' vertical offset which is permitted when the building is less than 25' tall.

Transparent Glass at First Floor

This design element is not feasible for an apartment building with dwelling units on the first floor.

Recesses and Projections

Given a building length of 116 feet, a .03% offset results in 42" on both the east and west elevations. This would leave an unrealistic building width of 18'. However, the two open stairs are visible on both the east and west sides of the building and provide the visual break in the elevations desired by the UDO. It is possible to see through the building. This change occurs within 50 feet rather than 40 feet.

Projecting Porches, Balconies, or Entry Stoops



The building does have entry stoops on the east and west elevations but they do not repeat within a 40' increment.

In summary, the architecture of the project utilizes the design elements listed above to the greatest extent possible to meet the UDO goals of breaking down the scale and avoiding blank, uninterrupted walls. The long, thin porportion of the site creates practical difficulties in fully meeting all three (3) required design elements on the long east and west elevations.

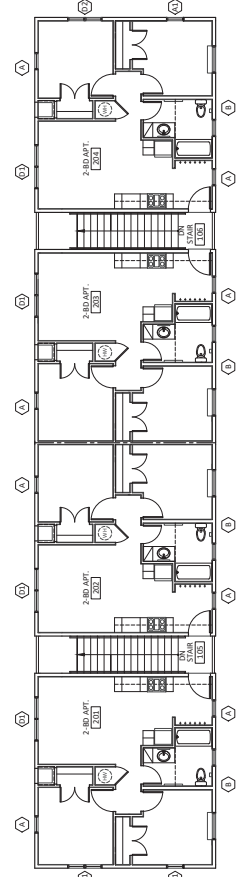
Thank you for your considieration,

A handwritten signature in black ink that reads "Barre Klapper". The signature is fluid and cursive.

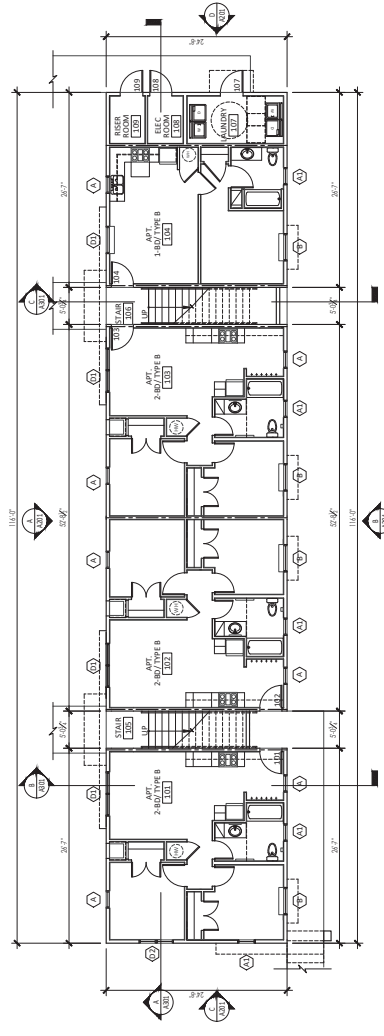
Barre Klapper, AIA
Springpoint Architects, pc

GENERAL PLAN NOTES

- A. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS, CONDITIONS AND LOADS. REPORT DISCREPANCIES TO ARCHITECT IMMEDIATELY.
- B. VERIFY ALL DIMENSIONS OF OTHER TRADES CONTRACTOR TAKE BEFORE STARTING ANY CONSTRUCTION.
- C. DIMENSIONS ARE TO FACE OF FRAMING AT WALLS.
- D. WALLS ARE 2" x 4" UNLESS NOTED OTHERWISE.
- E. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- F. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- G. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- H. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- I. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- J. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- K. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- L. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.



B SECOND FLOOR PLAN
SCALE: 3/8" = 1'-0"



A FIRST FLOOR PLAN
SCALE: 3/8" = 1'-0"

- LEGEND
- REFERENCE WALL TYPE DETAILS AND CODE PANS
 - INTERIOR PARTITION WALL, TYPICAL
 - 1-HOUR RATED MASONRY UNIT SEPARATION WALL
 - 1-HOUR EXTERIOR CORRIDOR SEPARATION INSULATION, 2" GYPSUM WALLBOARD, 1-HR RATED MASONRY UNIT SEPARATION WALL, 1-HOUR RATED MASONRY UNIT SEPARATION WALL
 - 1-HOUR EXTERIOR WALL, 2x6 STUD WALL @ 16" O.C. WITH INSULATION, 2" GYPSUM WALLBOARD, 1-HOUR RATED MASONRY UNIT SEPARATION WALL, 1-HOUR RATED MASONRY UNIT SEPARATION WALL
 - DOOR REFERENCE SCHEDULE

certified

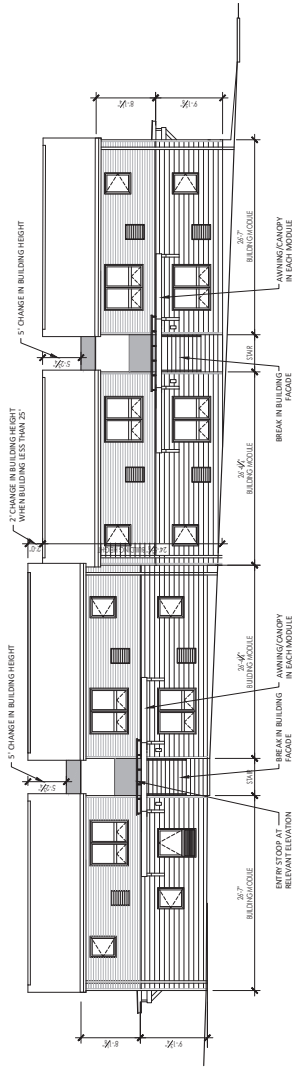
PROJECT 1308
INDIANA

CARITAS-INDIANA LLC
1420 W. KIRKWOOD AVE.
BLOOMINGTON

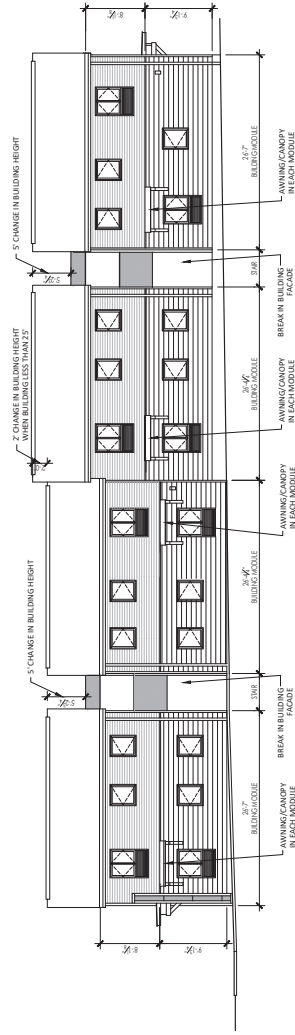
PROJECT INFORMATION
PROJECT NUMBER: 22-24
ISSUE DATE: 06/21/2023
REVISION DATE:

SHEET TITLE
ELEVATIONS
SHEET NUMBER

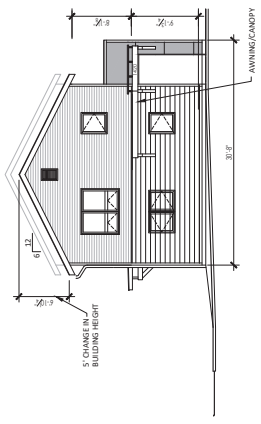
A201



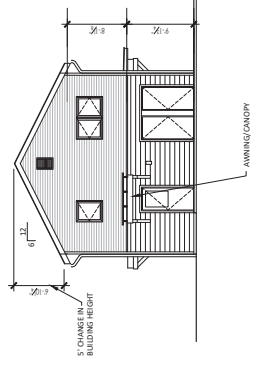
NORTH BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



WEST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



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



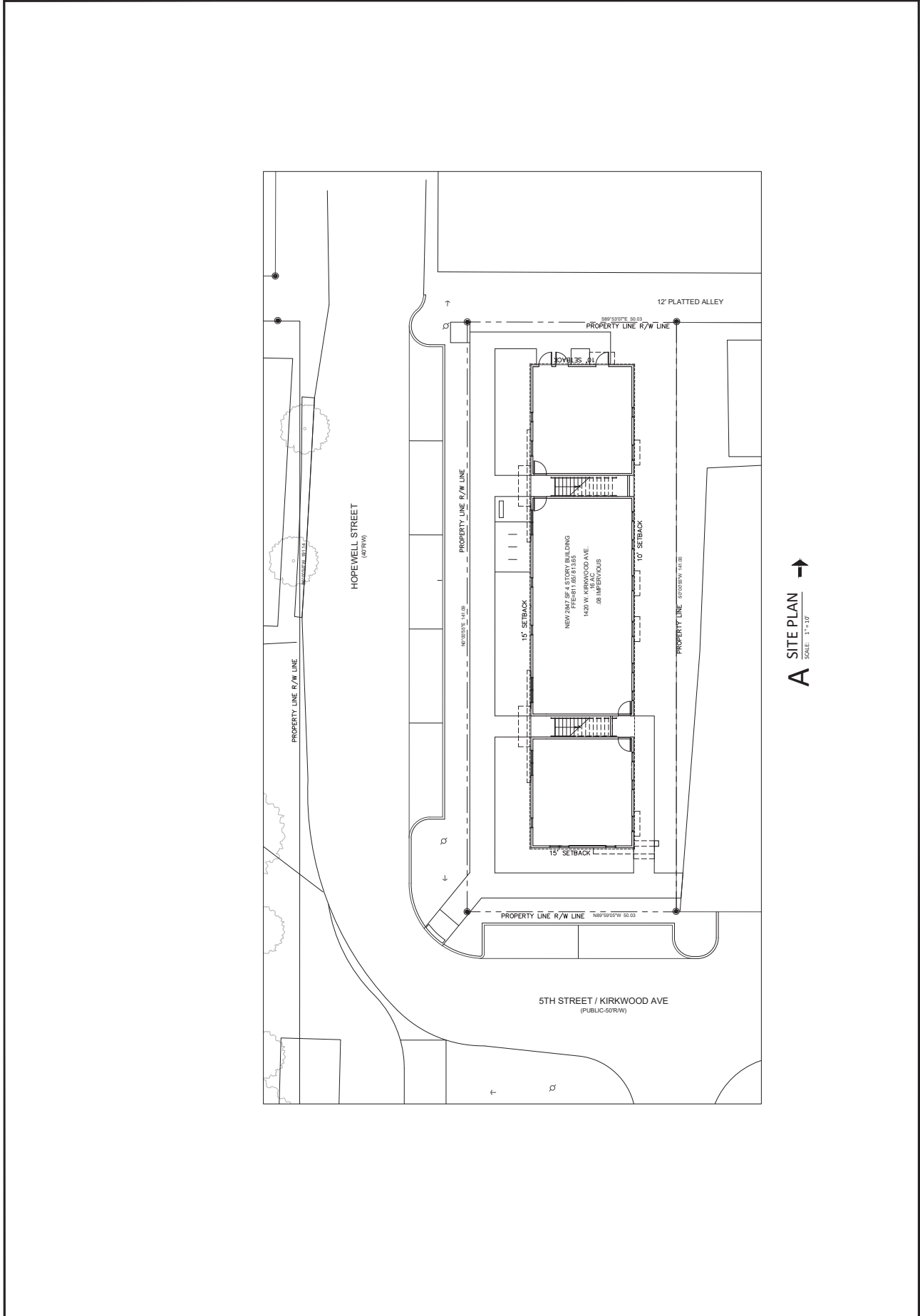
WEST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

certified

Project title
CARITAS-INDIANA LLC
1420 W. KIRKWOOD AVE.
BLOOMINGTON
INDIANA

Project Information
PROJECT NUMBER: 22-24
ISSUE DATE: 07/14/2023
REVISION DATE:

Sheet title
SITE PLAN
Sheet number
C101



PETITIONER: Daniel Weddle
917 N Fairview Street
Bloomington, IN

REQUEST: The petitioner is requesting Conditional Use approval for expansion of an existing dwelling duplex. Also requested is a variance from use-specific standards.

REPORT: The property is located at 917 N Fairview Street and is currently zoned Residential Small Lot (R3). All surrounding properties are also zoned R3. The property currently contains a lawful nonconforming dwelling, duplex and an accessory structure. The property is located in the Maple Heights Historic District and received a Certificate of Appropriateness for the requested work at the Bloomington Historic Preservation Commission (BHPC) meeting on July 13, 2023. The petitioner also received BHPC approval for an Accessory Dwelling Unit (ADU) at the site. The petitioner previously received approval for the ADU from the Planning and Transportation Department through Certificate of Zoning Compliance C21-621.

The main structure on the site currently contains two units. The petitioner proposes to add an addition to one of the units to provide an additional bedroom, as well as a bathroom. In order to expand the lawful, nonconforming duplex, a conditional use approval is required. The petitioner held a meeting to receive input from members of the neighborhood association, which is a requirement of this use in the R3 zoning district.

The petitioner is also requesting a variance from the use-specific standard, 20.03.030(b)(3)(C)(iv), that requires ‘each individual dwelling unit shall have separate utility meters.’ The site was developed with solar panels when net-metering was at its most advantageous for residential development. The petitioner would like to continue to utilize the existing solar array and system, with a goal of net zero energy usage for the entire site.

The petitioner is requesting a conditional use and variance approval in order to be able to construct an addition on an existing dwelling, duplex, and in order to be able to maintain the existing electrical configuration of the structure.

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 the use “dwelling,

duplex” within the R3 zoning district. Though this dwelling duplex is neither newly constructed or a conversion into a duplex, the structure does have one entrance facing the street. The architectural characteristics of the structure are in keeping with those on the same block face, and the addition was approved by the BHPC. The structure will contain no more than six bedrooms. The petitioner is requesting a variance from the final standard related to utility meters. The petition complies with the UDO and other applicable regulations with the exception of the variance request for utility meters.

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 the “Mixed Urban Residential” land use category. The Comprehensive Plan states that Mixed Urban Residential land use category is largely in older neighborhoods and that redevelopment should be compatible with surroundings. The Comprehensive Plan also states that the most appropriate development activity is the rehabilitation of older structures for residential uses. The proposal seeks to allow for the continuation of the structure as a residential use that allows access to nearby downtown amenities to more people. The proposal is in line with the Comprehensive Plan.

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: The site has existing utility connection and no issues have been identified. The site will still meet setback and impervious surface restrictions with the proposed addition. The petitioner is requesting to continue to allow both units to share utility connections.

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 located within a historic district and received a Certificate of Appropriateness for the addition. No significant adverse impacts are expected from the expansion of the existing dwelling, duplex. No changes to trash and waste collection are expected. The petitioner has offered multiple occasions to meet with interested parties to discuss and address any concerns about the project.

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.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCES:

Separate Utility Meters

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 petitioner is requesting to continue the existing shared utilities at the site, which will allow for the continuation of the benefit of the solar-powered utilities for the owner. There will be no effect on the community at-large.

(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

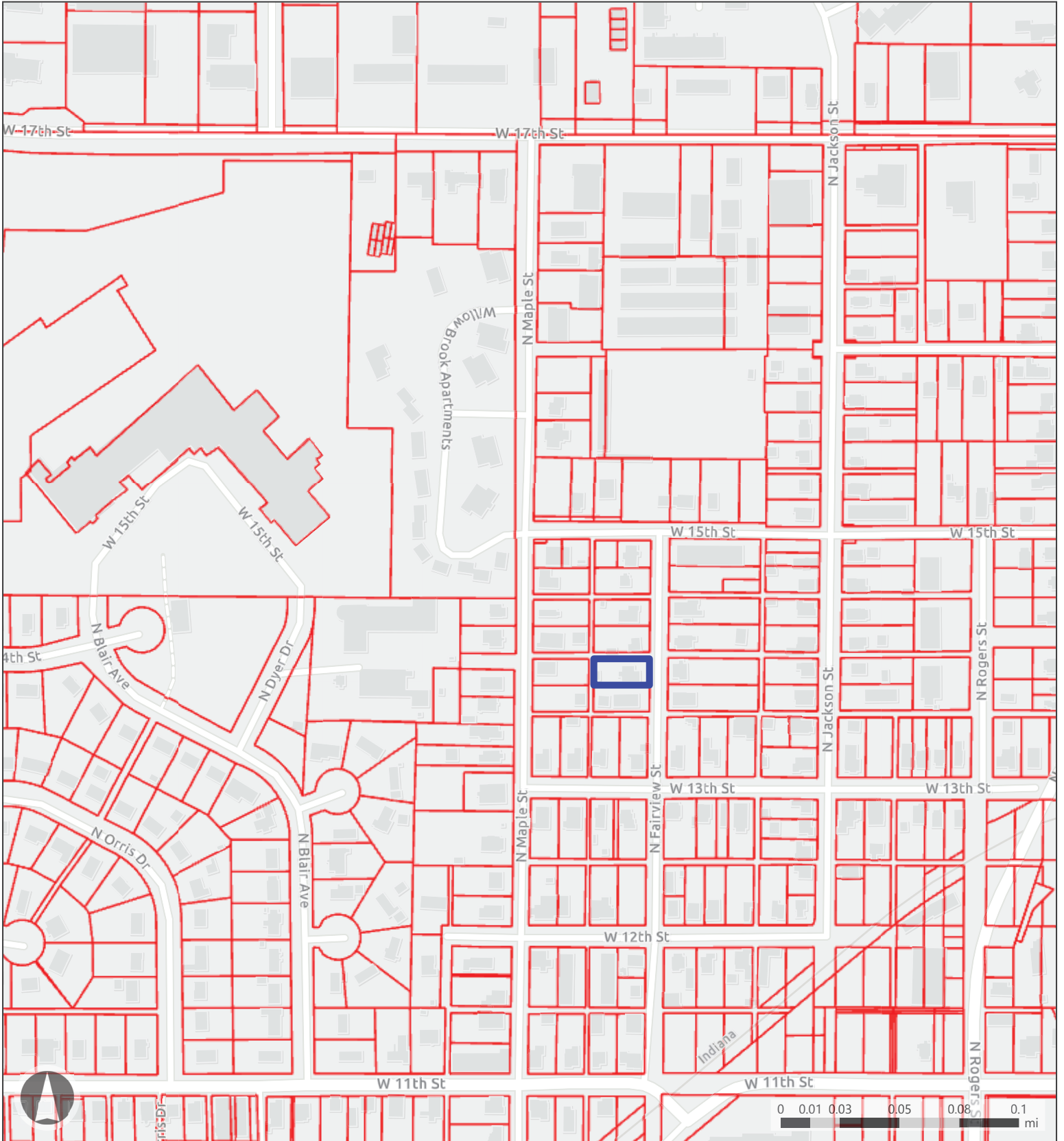
PROPOSED FINDING: No adverse effect to the use or value of the adjacent properties is found as a result of this petition. The existing utilities will be allowed to remain and no changes will occur. The use and value of the areas adjacent to the property will not be affected by this request.

(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 existing condition of the site. The Comprehensive Plan and Unified Development Ordinance both encourage the use of alternate sources for utility needs. This site currently utilizes and benefits from an existing solar array installation that helps the site move closer to net zero energy use on the site. Reconfiguring the existing utility connections would result in a loss that is greater than the gain received by requiring separate utilities, in this case. The goals of homeownership as well as sustainability of design are both important goals. However, in this case, because the solar infrastructure already exists at the site to work as one system for both units, and the maximum benefits of using solar are no longer available to residents installing solar on their properties, a practical difficulty is created with the requirement to split the utilities by unit.

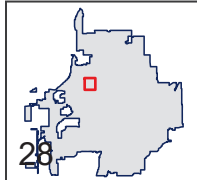
RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU/V-20-23 with the following conditions:

1. This conditional use and variance approval is limited to the design shown and discussed in the packet.
2. In the event that the petitioner removes the solar utility installation on the site, both units must have completely separate utility meters.



Map Legend

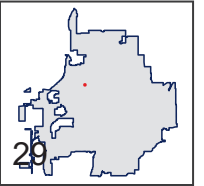
Parcels





Map Legend

 Parcels





Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Permit R-22-1088

Daniel Weddle <danny@terranrobotics.ai>
To: Jacqueline Scanlan <scanlanj@bloomington.in.gov>
Cc: planning@bloomington.in.gov

Thu, Jun 22, 2023 at 11:59 AM

Hello Jackie,

Let me know if you need anything else.

Project Statement

The project is to add a 3rd bedroom and half bath to the upstairs portion of the non-conforming duplex located at 917 North Fairview street. This addition will add a much needed toilet to the upstairs portion of the home while providing another code compliant bedroom. Over time the desire is to construct 8 bedrooms on the property in order to minimize occupant cost of living while maximizing density downtown. The 8 bedroom number will be met ultimately by adding a 3rd bedroom to both the top floor and basement duplex, in addition to 2 bedrooms in an Accessory Dwelling Unit which is currently under construction.

The form of the bedroom is atypical. It is being converted from a previously constructed tiny home. This tiny home has been inspected by 3 members of the building department to determine its suitability to be remodeled into a code compliant structure. This structure was constructed by the homeowner, who has been working with the city for a couple of years to add the home to his property in a code compliant fashion.

Variance Request Reason

The non-conforming duplex shares an electrical meter. The homeowner would like to keep this arrangement as a long term goal for the property is to net zero the energy use through solar. The solar system that was installed while net metering was being grandfathered, currently serves both units and will be expanded in time to cover the needs of the property. A new panel, metered on its own, would not qualify for net metering as the ability to install and grandfather systems ended January 1st, 2023.

Daniel Joseph Weddle
CDO, Terran Robotics
danny@terranrobotics.ai

[Quoted text hidden]

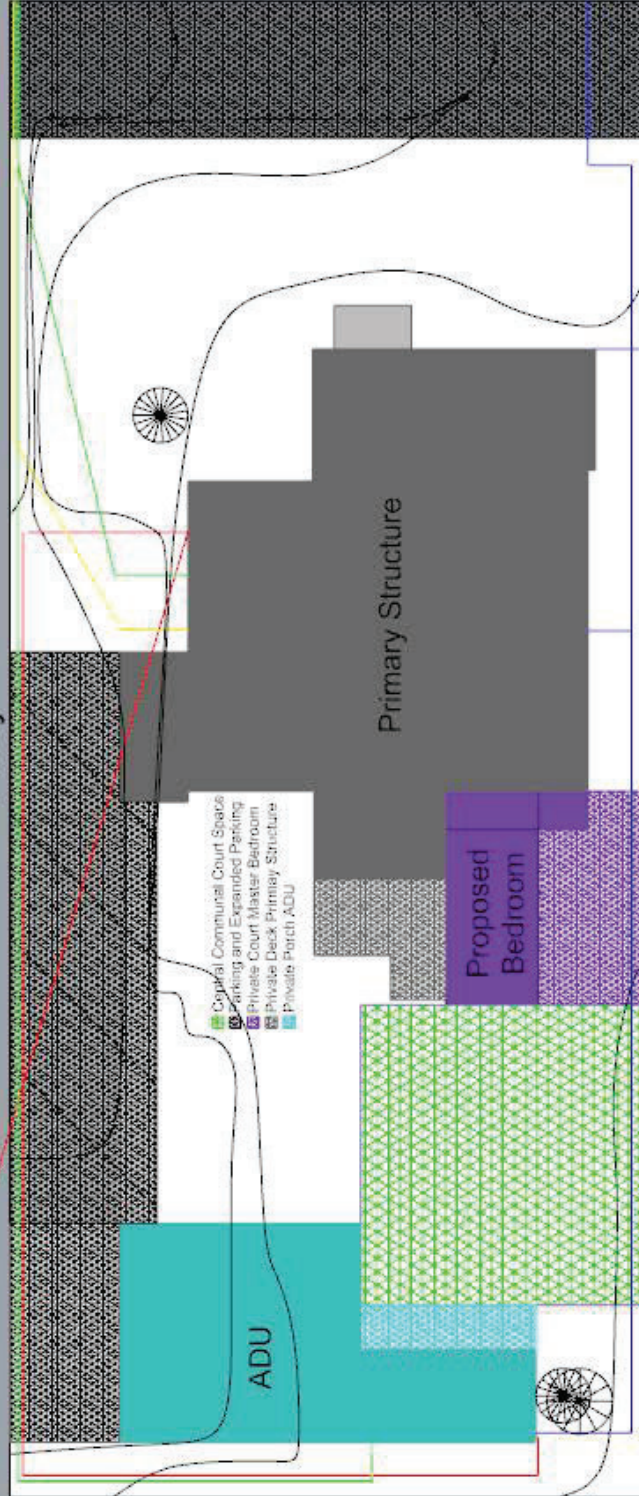
917 North Fairview
0 10 20
N ↑

Parking
Water
Sewer
Electric
Gas

North Fairview Street

Adjacent Property

Alley



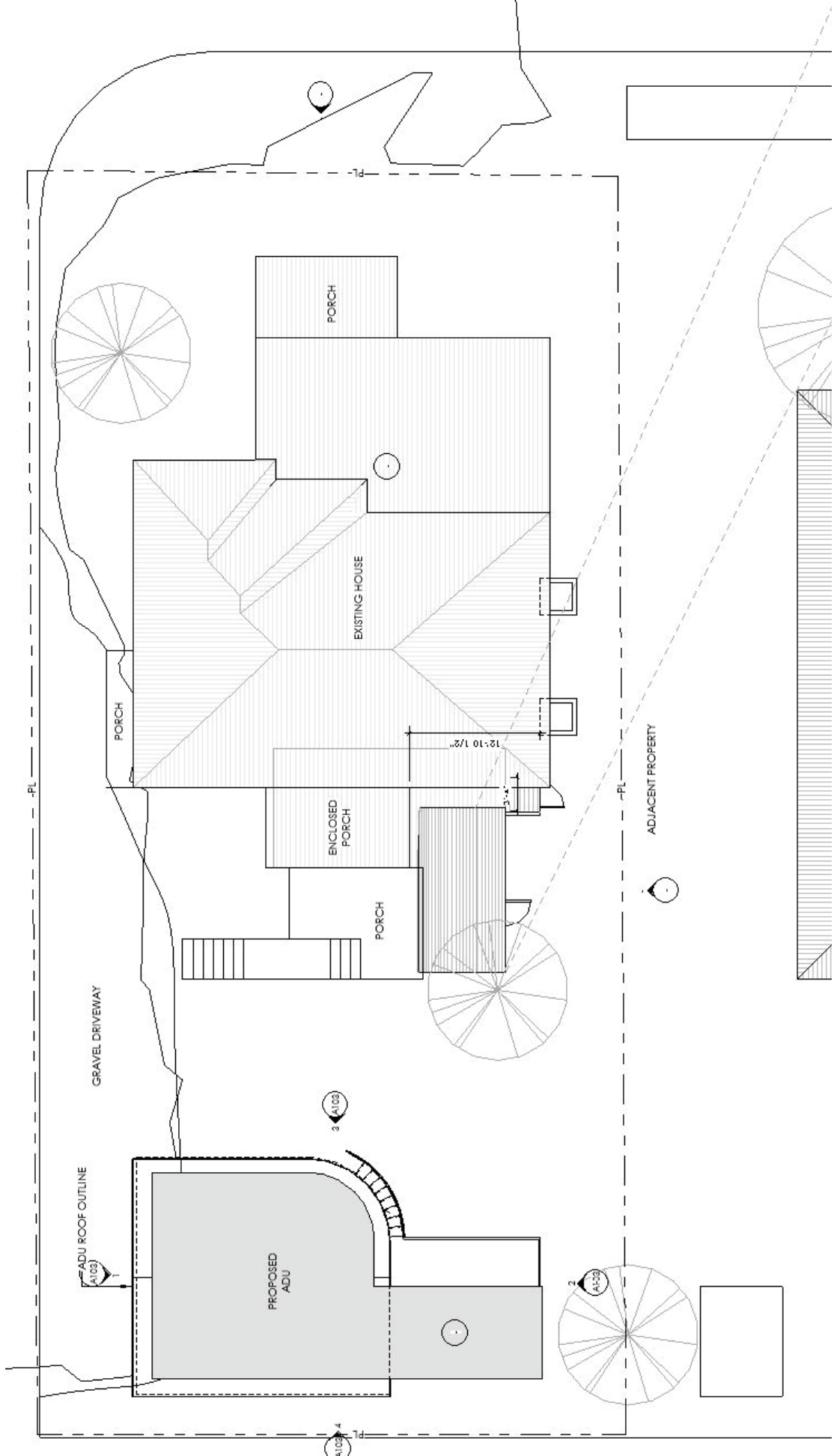
Adjacent Property

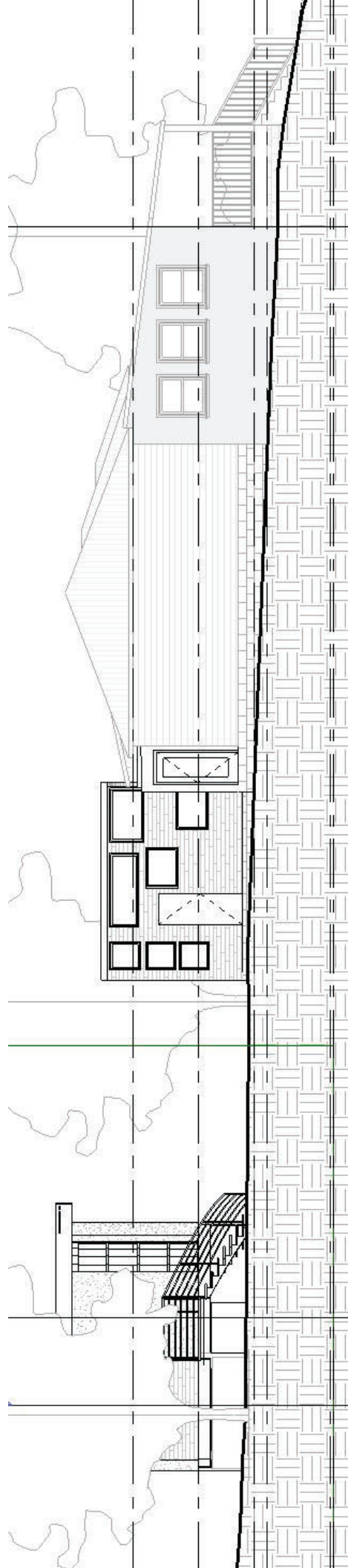
Alley

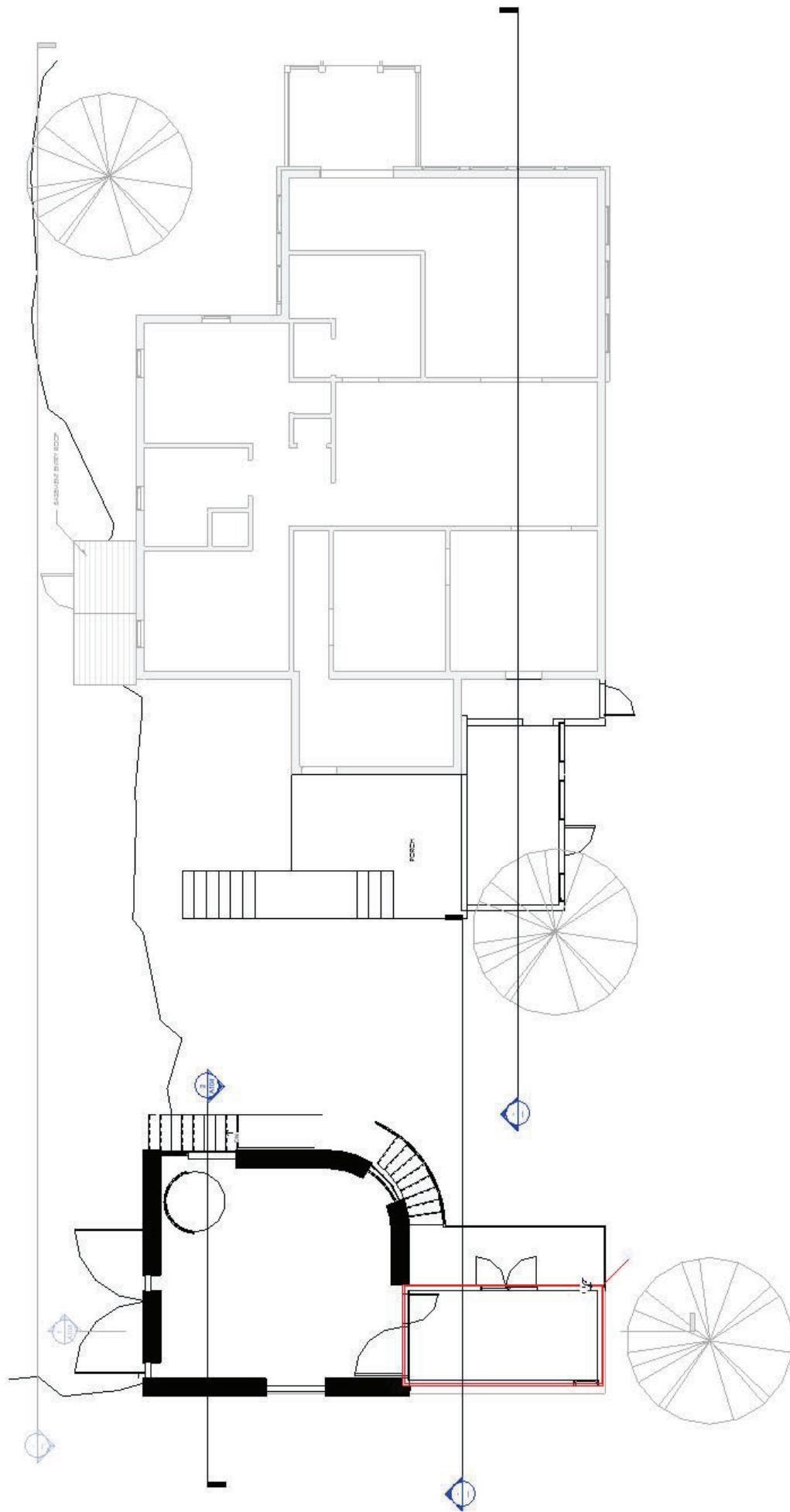
Adjacent Property



NORTH FAIRVIEW STREET







BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1100 W 11th Street

CASE #: V-21-23
DATE: July 20, 2023

PETITIONER: Community Kitchen of Monroe County
1515 S Rogers Street, Bloomington

CONSULTANTS: Springpoint Architects, Inc.
522 W. 2nd Street, Bloomington

REQUEST: Development standards variance from the driveway location standard to allow vehicular access from 11th Street; variance from minimum parking setbacks; and variance from maximum parking space total standard.

REPORT: This 50'x120' (6,000 sq. ft.) property is located at 1100 W 11th Street and is zoned Mixed-Use Neighborhood Scale (MN). The property is developed with a commercial building and parking area. Surrounding properties to the north and west are also zoned MN, with properties to the east and south zoned Residential Small Lot (R3). Surrounding land uses include a Boys and Girls Club building to the north, a gas station to the west, and detached single family to the south and east, across both 11th and Monroe Streets. There are no known sensitive environmental features on the site.

The petitioner is redeveloping the site with a new building and parking area to continue their ability to provide meals for those in need from this location. The existing building is roughly 800 square feet, and the petitioner is proposing to demolish the existing building and replace it with a building that is roughly 1,000 square feet that is square with the corner and better utilizes the limited space on the site.

The petitioner needs 3 variances to develop in the desired configuration. The property is on a corner, so is required to derive vehicular access from the lower classified road, which is Monroe Street. However, the Monroe Street frontage is so limited, that a greater separation from the intersection can be achieved on 11th Street. The limited depth of the parcel, 50 feet, also limits where the parking can be located, requiring a setback variance. Lastly, the small size of the proposed building allows for limited parking spaces, so the petitioner is requesting additional parking spaces.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE
20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

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

VEHICULAR ACCESS PROPOSED FINDING: The granting of the variance will not be

injurious to the public health, safety, morals, or general welfare of the community. Currently, there are entrances on both 11th and Monroe Streets. The new configuration will result in one vehicular entrance on 11th Street that is more than 50 feet from the intersection, a situation that cannot be achieved on Monroe Street.

PARKING SETBACK PROPOSED FINDING: The granting of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. The parking spaces are not immediately adjacent to the right-of-way, and are improved from the existing.

PARKING TOTAL PROPOSED FINDING: The granting of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. The parking spaces are not adjacent to the right-of-way, and are improved from the existing.

- 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.*

VEHICULAR ACCESS PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The new configuration will limit vehicular access to one entrance, and improve the interface with the surrounding roadways.

PARKING SETBACK PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The property is only 50 feet deep, and in order for the building to meet setbacks, there is not sufficient room for the site to support necessary parking. The parking will not be ahead of the front building wall, and landscaping will be planted along some of the other setback areas.

PARKING TOTAL PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. All parking will be in line with or behind the front building wall. One accessible space will be provided.

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

VEHICULAR ACCESS PROPOSED FINDING: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as requiring vehicular access off of Monroe Street would necessitate that the driveway be closer than 50 feet to the intersection. Increased distance from the intersection is desirable for safety. The 50 feet width of the commercial parcel is a peculiar condition that necessitates variance for the access.

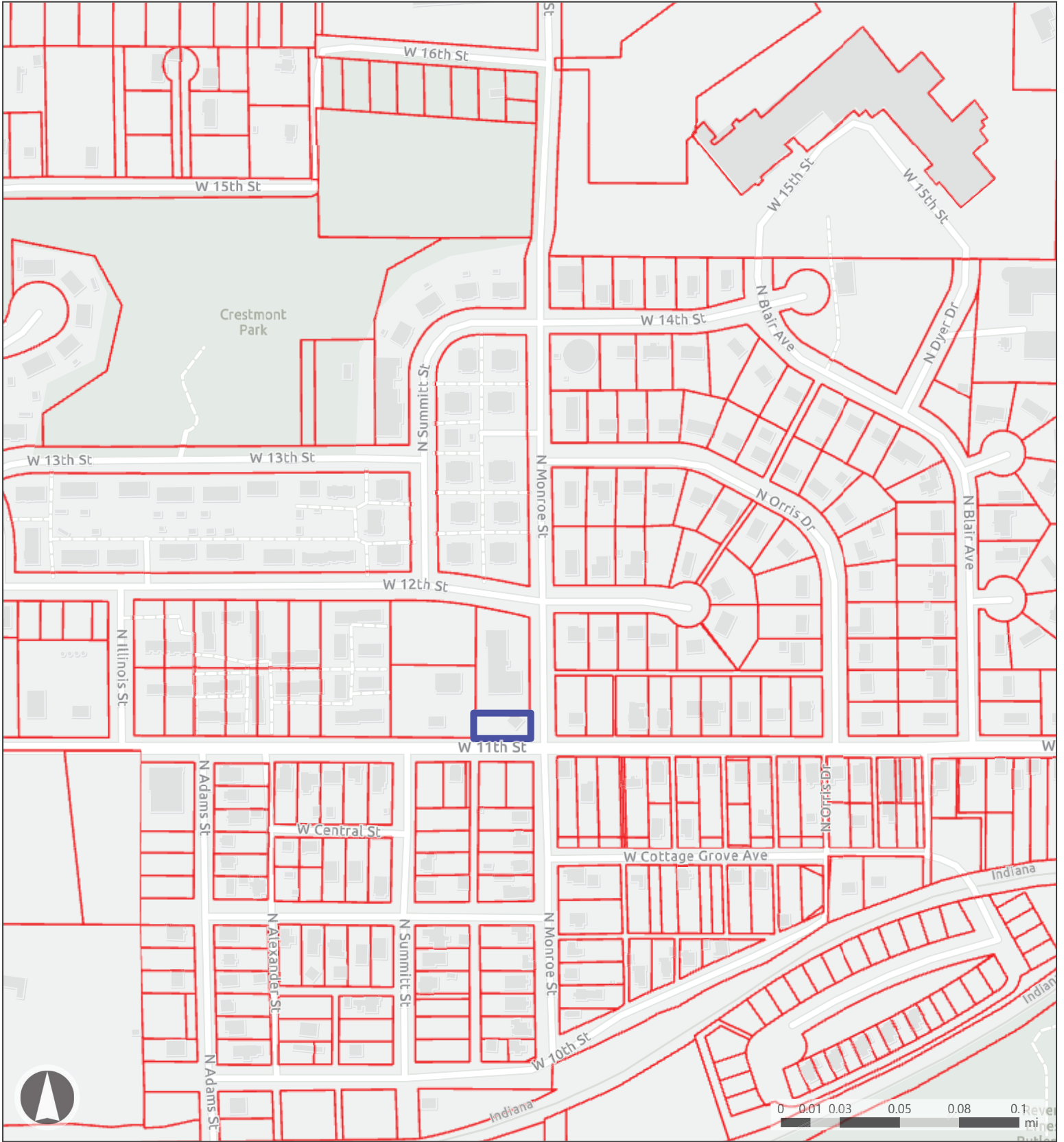
PARKING SETBACK PROPOSED FINDING: The Department finds that the strict

application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as the 50 foot depth of the property does not allow for parking that can meet all of the parking setbacks. All parking in the proposal is equal to or behind the front building wall of the building. The building can be built no closer to 11th or Monroe Streets than 15 feet, and the parking should be 20 feet behind the front building walls. The parking also has to be 8 feet from the northern and western property lines. That leaves only a 7 foot width in which all parking must be located. The reduced depth of the lot is a peculiar condition that can only be relieved by a variance.

PARKING TOTAL PROPOSED FINDING: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as they would not allow for the property to be used in a manner consistent with this zoning district due to the small size of the lot and building. The proposed building will only allow for 3 parking spaces, one of which that must meet ADA requirements. The small lot limits the size of the building because of required setbacks and impervious surface coverage, which is a peculiar condition in this district. The allowance of two (2) additional parking spaces is appropriate and requires a variance.

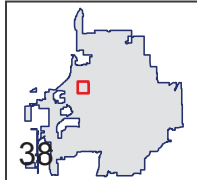
RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-21-23 with the following condition:

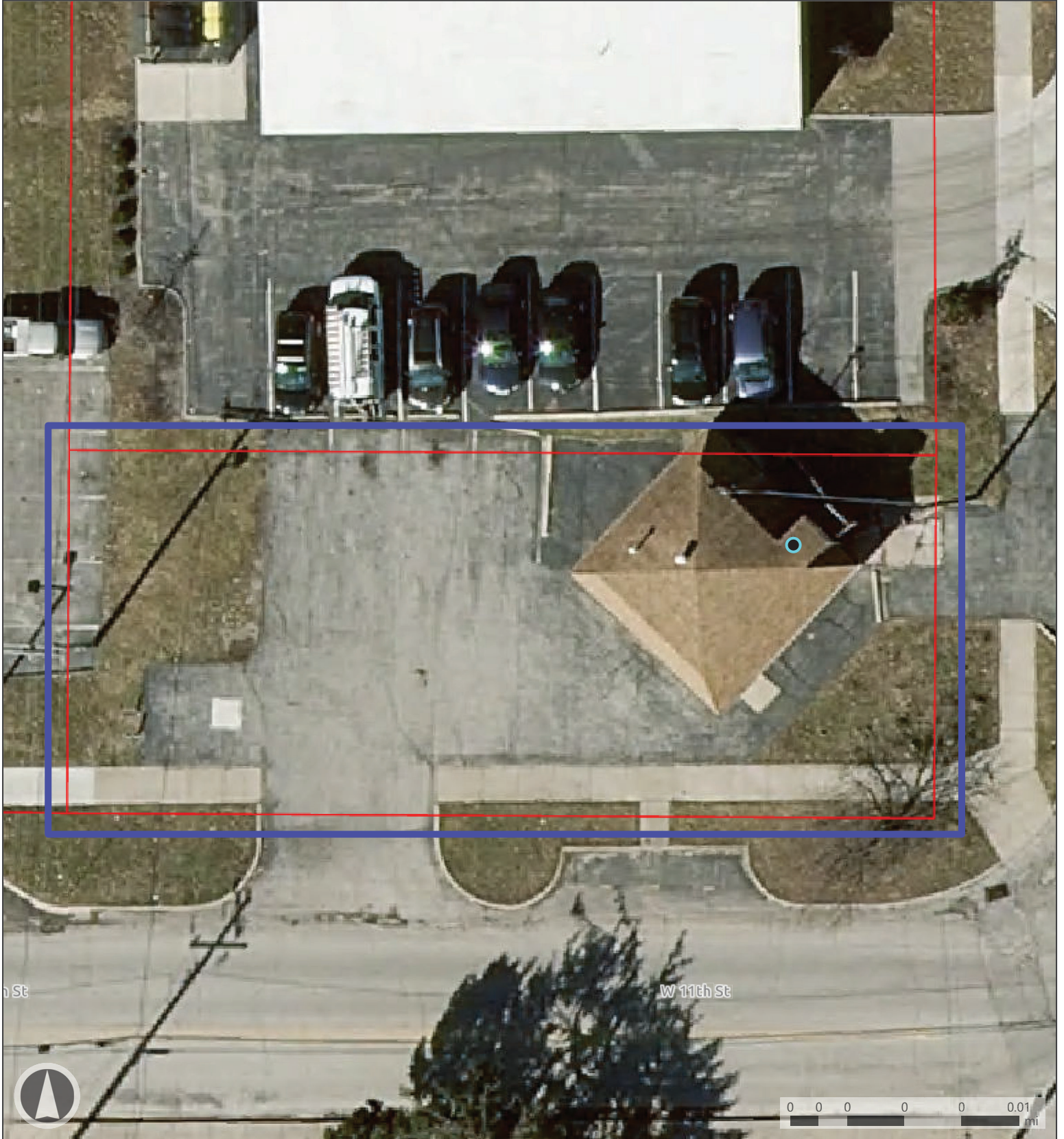
1. Site plan approval is required prior to issuance of a grading permit.
2. This approval is for the submitted site plan only, with the following modifications:
 - a. Additional landscaping density will be required along the western property line adjacent to the parking spaces.
 - b. The drive aisle north of the parking spaces must be as short as possible to still allow vehicular movement and if green space is possible, landscaping is required.



Map Legend

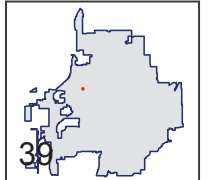
Parcels





Map Legend

 Parcels





June 22, 2023

Jaquie Scanlan
Development Service Manager
City of Bloomington
401 N Morton St, Ste 130
Bloomington, IN 47404

RE: Community Kitchen Express
1100 West 11th Street, variance request

Dear Jaquie,

The Community Kitchen of Monroe County, the owner of the property at 1100 West 11th Street, is proposing a new building and related site improvements to replace their existing facility in which they operate Community Kitchen Express. Having operated at this location since 2000, they provide both warm and cold carryout meals from 4:00 – 6:00 pm, Monday- Saturday, no questions asked. They serve approximately 100 people each day, with most being walk-up customers from the nearby community.

The property is a corner .13-acre lot which contains an existing 484 square building and parking lot. Constructed in the 1970's as a barbeque restaurant, the building sits angled toward the corner. The existing building will be removed completely and replaced with a new, 1000 SF structure which will relate to the corner orientation, provide better overall functioning, and comply with the UDOs architectural standards.

The existing site features include drive-way cuts on both Morton and 11th Streets, an almost fully paved site, and unclear pedestrian connections. The proposed site improvements will eliminate the drive-way cut on Morton, comply with current impervious surface lot coverage requirements, and create direct and accessible pedestrian connections.

Due to the small size and narrow proportions of the lot, the owner would like to respectfully request variances from the following three (3) site development standards:

1. Drive access off of 11th Street (higher classified road) in lieu of Morton Street (lower classified road): The narrow lot width and proximity to the intersection creates a practical difficulty to have the drive access from Monroe Street.
2. Parking aligned with the south elevation of the building, facing 11th street in lieu of the required 20 feet: This requirement is met for the east elevation, facing Monroe Street. The narrow, corner lot creates practical difficulties to meet this requirement for both Morton Street and 11th Streets.
3. Increase in allowed parking from three (3) spaces to five (5): The use for this project has been determined to be "Office" which limits a maximum of 3.3 spaces per 1,000 SF of GFA, resulting in three (3) spaces. The small size of the property and unique requirements of the Community



Kitchen Express limit the size of the building, therefore limiting the number of parking spaces allowed. The five (5) proposed parking spaces will be used in the following manner:

- One (1) space for the Community Kitchen delivery truck
- One (1) space for volunteer parking
- One (1) space designated for accessible parking
- Two (2) spaces for patrons

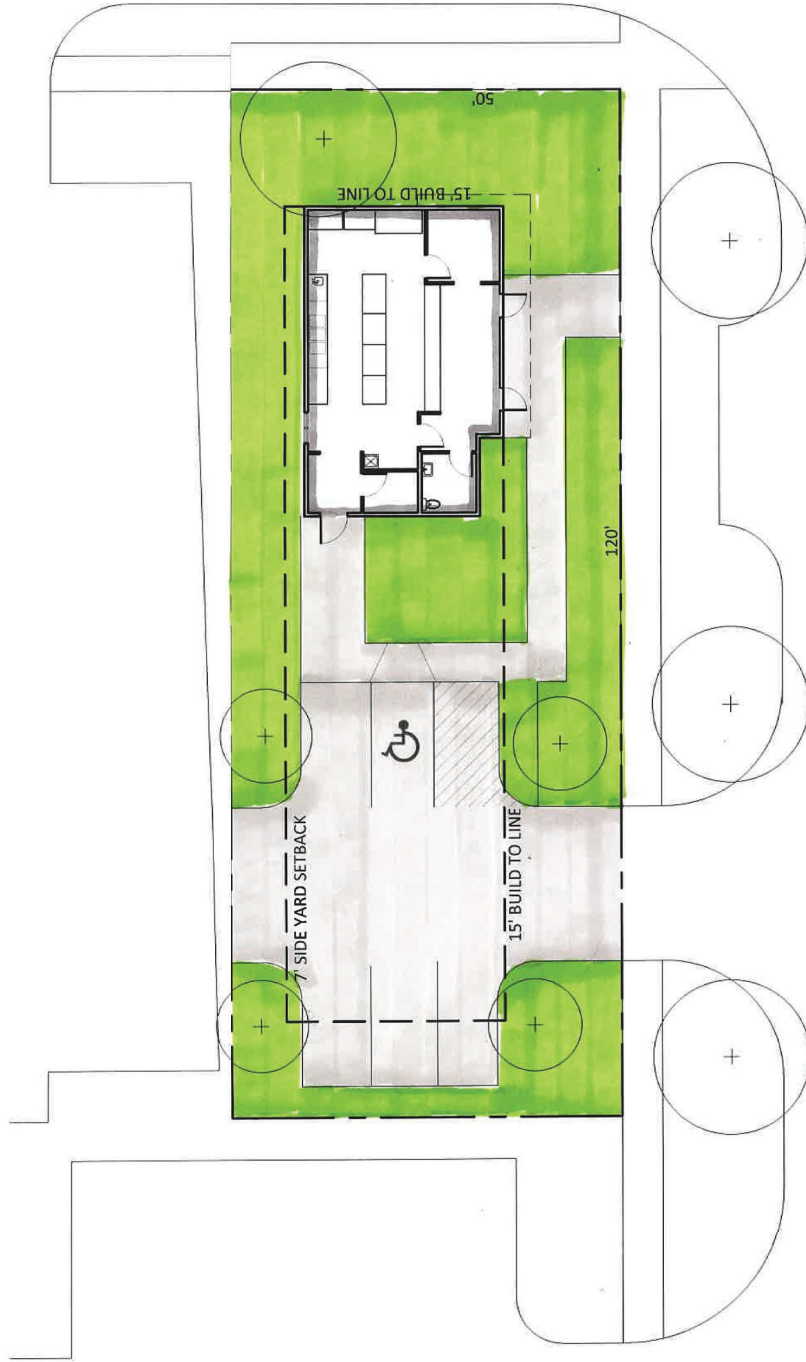
Thank you for your time and consideration of these requests. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Dawn M Gray". The signature is fluid and cursive.

Dawn M Gray, AIA
SPRINGPOINT ARCHITECTS, pc

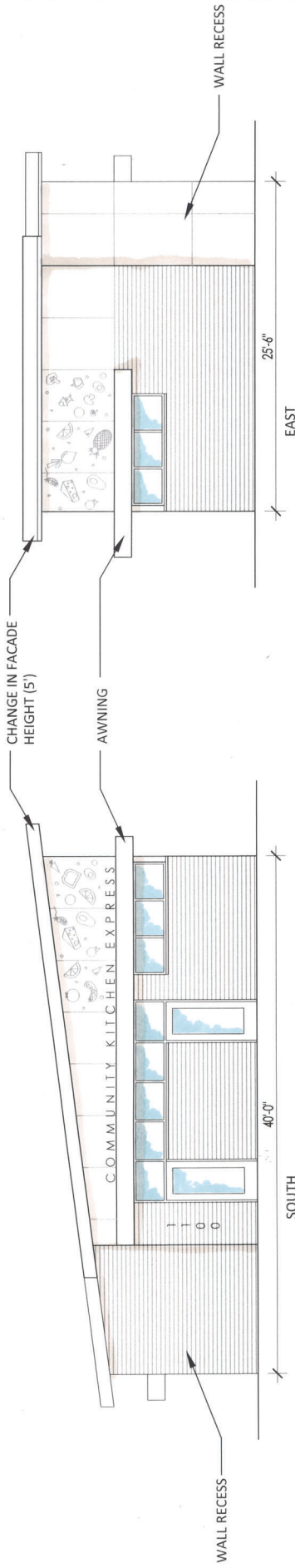
NORTH MONROE STREET



WEST 11TH STREET

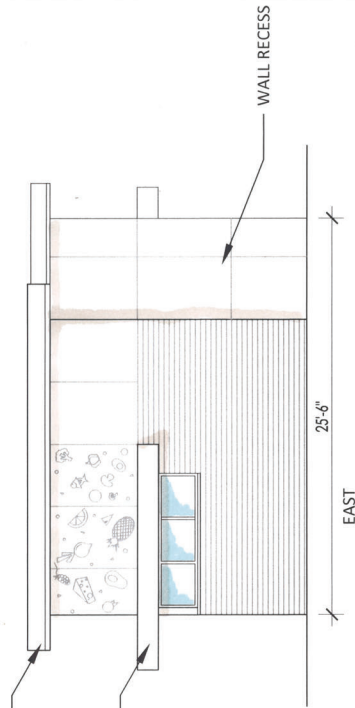
COMMUNITY KITCHEN EXPRESS

1100 WEST 11TH STREET



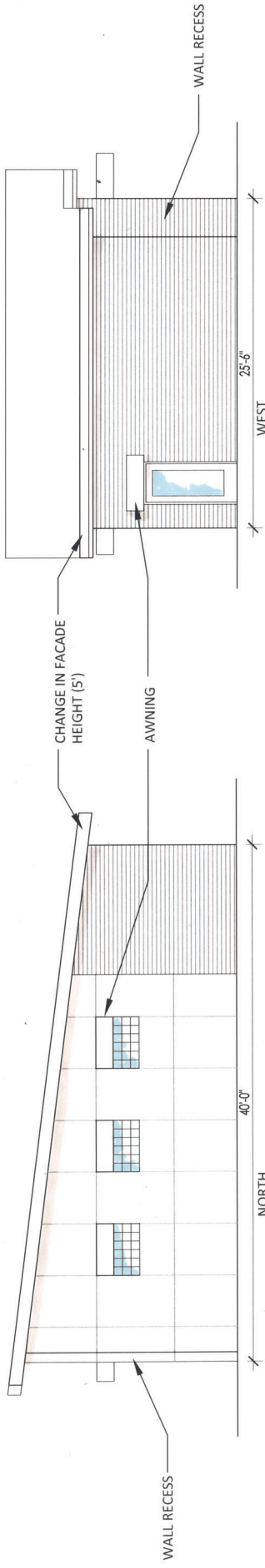
ELEVATION

SCALE: 1/8" = 1'-0"



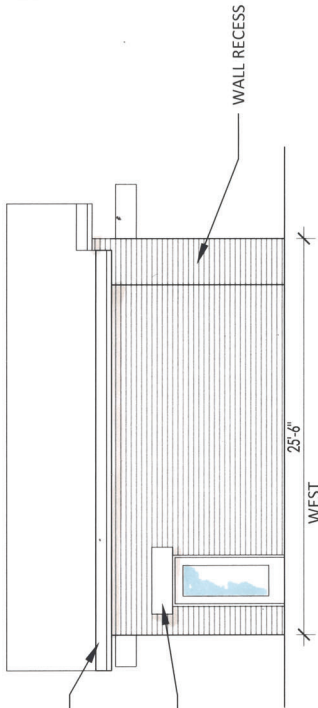
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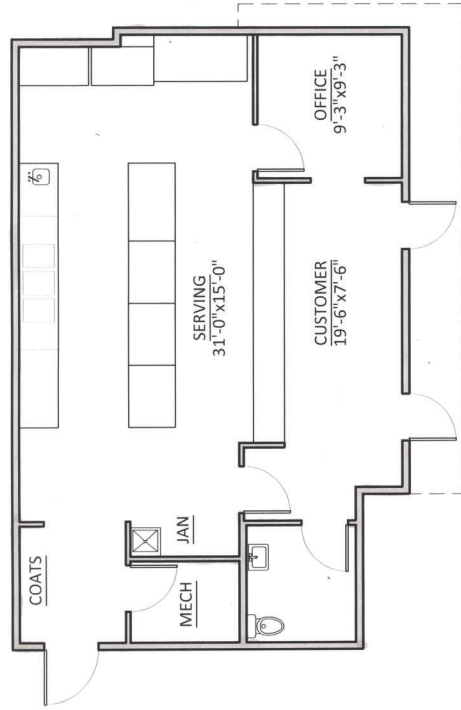
ELEVATION

SCALE: 1/8" = 1'-0"



ELEVATION

SCALE: 1/8" = 1'-0"



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

COMMUNITY KITCHEN EXPRESS
 1100 WEST 11TH STREET

JUNE 22, 2023