

CITY OF BLOOMINGTON



May 23, 2024 @ 5:30 p.m.
City Hall, 401 N. Morton Street
Common Council Chambers, Room #115

[https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVDI
nWGROTU43dEpXdz09](https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVDI
nWGROTU43dEpXdz09)

Meeting ID: 824 4898 3657
Passcode: 319455

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

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

June 20, 2024 at 5:30 p.m.

❖ **Virtual Meeting:**

<https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArk1pLVDInWGROTU43dEpXdz09>

Meeting ID: 824 4898 3657

Passcode: 319455

Petition Map: <https://arcg.is/18Tbez0>

ROLL CALL

APPROVAL OF MINUTES: May 23, 2024

PETITIONS CONTINUED TO: July 25, 2024

- 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-27-22 **Cutters Kirkwood 123, LLC**
113 E. Kirkwood Ave.
Parcel: 53-05-33-310-062.000-005
Request: Variances from Downtown Character Overlay standards to allow less
non-residential area and less large display windows; and a variance from the
requirement to align with the front setback of an adjacent historic structure in the
Mixed-Use Downtown zoning district with the Courthouse Square Character
Overlay (MD-CS). Case Manager: Jackie Scanlan
- V-08-24 **Andrew Huck**
2226 East Maxwell Lane
Parcel: 53-08-03-100-002.000-009
Request: Variance from riparian buffer standards to allow construction of deck
stairs and terrace for an existing single-family dwelling in the Residential Medium
Lot (R2) zoning district. Case Manager: Gabriel Holbrow

*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.*

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.

CU/V-20-24 **Tabor Bruce Architecture**
 1020 West 6th Street
 Parcel: 53-05-32-409-013.000-005
 Request: Conditional use approval to allow a duplex in the Residential Small Lot (R3) zoning district. Also requested is a variance from front and side yard building setback standards to allow a second story addition to a building in the Residential Small Lot (R3) zoning district. Case Manager: Eric Greulich

PETITIONS:

V-05-24 **Candi Sipes**
 2303 S Rockport Road
 Parcel: 53-01-51-137-500.000-009
 Request: Variances from accessory structure size standards, accessory structure setbacks, driveway width standards, and a determinate sidewalk variance to allow construction of a new single-family dwelling structure in the Residential Medium Lot (R2) zoning district. Case Manager: Gabriel Holbrow

CU-17-24 **Bloomington Builders, LLC & Latitude 39 North Properties, LLC**
 506 E. Wylie Street
 Parcel: 53-08-04-113-095.000-009
 Request: Conditional Use approval to allow a duplex in the Residential Lot (R3) zoning district. Case Manager: Eric Greulich

V-19-24 **Lana Allen**
 910 N Maple Street
 Parcel: 53-05-32-104-009.000-005
 Request: Variance from maximum size allowed for an accessory structure for a property located in the Residential Small Lot (R3) zoning district.
Case Manager: Eric Greulich

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**BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT**

Location: 2303 South Rockport Road

**CASE #s: V-05-24
/ VAR2024-02-0024
DATE: June 20, 2024**

PETITIONER/OWNER: Candi Sipes
2303 South Rockport Road
Bloomington, IN

REQUEST: Variances from accessory structure size standards, accessory structure setbacks, and driveway width standards, and a determinate sidewalk variance to allow construction of a new single-family dwelling structure in the Residential Medium Lot (R2) zoning district

REPORT: The property is located on the east side of South Rockport Road, approximately 1,000 feet south of Rockport's intersection with South Rogers Street, in the Broadview neighborhood. The property currently contains a detached single-family dwelling and two accessory structures on approximately 1.08 acres. The petition property as well as surrounding properties to the north, east, and west are located in the Residential Medium Lot (R2) zoning district. The abutting property to the east is vacant land, while adjacent properties to the north and to the west across Rockport Road contain detached single-family dwellings. Properties to the south are located in the Residential High-Density Multifamily (RH) zoning district and contain multifamily dwellings known as Dorothy Apartments.

The petitioner currently resides in the existing house on the property but proposes to construct a new house behind the existing house. Once the new house is complete, the petitioner intends to move into it and demolish the existing house. The new house is proposed to contain an attached garage, so the petitioner also intends to demolish the existing garage/carport on the north side of the property. The City of Bloomington Unified Development Ordinance (UDO) allows only one primary structure per property in the R2 district, but the property will remain in compliance with this standard. Currently, there is one single-family dwelling on the property; after the proposed construction and demolition, there will be one single-family dwelling on the property.

The petitioner has requested four variances to allow construction of the new house without resolving existing nonconforming site features. Construction of a new primary structure triggers full compliance with the UDO, including bringing the existing nonconformities into compliance, unless variances are granted.

The first two variances are related to the existing accessory structure near the rear of the property, a barn which is proposed to remain. The first variance request is for relief from the **accessory structure size** standard. In the R2 district, the cumulative total footprint of all enclosed accessory structures is limited to a maximum of 840 square feet, but the existing barn is approximately 1,870 square feet. The barn has existed on this site since at least 1950, long before the City of Bloomington adopted regulations for the size of accessory structures. The second variance request is for relief from the **accessory structure setback** standard. In all zoning districts, accessory structures must be at least five feet from side and rear property lines, but the existing barn is 1.5 feet from the rear (east) property line at its nearest point. The property owner of the abutting property to the east has provided a letter (included in this packet) expressing no objection to the existing location of the barn.

The third variance request is for relief from the **driveway width** standard to allow the existing driveway configuration to continue. Driveways for single-family dwellings are limited to 18 feet in width from the front property line to the required front building setback, which in the R2 district is 15 feet from the front property line. Once the driveway is 15 feet onto the property, it can widen out to any width, limited only by the maximum impervious surface coverage standard. The regulated driveway width also does not typically include the driveway apron within the public right-of-way where a driveway widens out to facilitate vehicles turning on to and in from the street. The existing gravel driveway is approximately 24 feet wide at the inward end of the existing asphalt driveway apron. From there, the gravel driveway widens farther onto the property, reaching approximately 30 feet 8 inches wide at the required front building setback line. One of the reasons that the existing driveway widens out farther onto the property is because it also provides access to a parking area on the property to the north at 2225 South Rockport Road.

The fourth variance request is for a **determinate sidewalk variance** so that the petitioner does not have to construct a sidewalk along the property's street frontage at this time. Rockport Road is assigned the Neighborhood Connector street typology in the City of Bloomington Transportation Plan, where a minimum seven-foot-wide sidewalk is required. There currently is no sidewalk on the east side of Rockport Road. Construction of a new primary structure, combined with the road classification, triggers the requirement to construct the sidewalk. In cases where a new single-family, duplex, or triplex dwelling is constructed on a non-classified street with no adjacent pedestrian facilities to connect to, the property owner is not required to construct a new sidewalk. However, in this case Rockport Road is classified as a collector and is therefore not a non-classified street, so the exception does not apply even though there are no existing adjacent pedestrian facilities on the east side of Rockport Road. Full compliance requires the petitioner to construct the sidewalk, unless a variance is granted.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E)(i)(1) 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 FINDINGS:

Accessory structure size: Allowing the existing barn to remain will not be injurious to the public health, safety, morals, and general welfare of the community. The barn has stood for more than half a century with no identified injurious impacts. The size of the barn is appropriate to the size of the property, which is more than six times the minimum lot area in the Residential Medium Lot (R2) zoning district and significantly larger than typical single-family dwelling lots in the adjacent Broadview neighborhood. The ratio of the accessory structure footprint to the lot size on this property is much less than the ratio of the 840-square-foot maximum footprint to the 5,000-square-foot minimum lot size in the R2 district.

Accessory structure setback: Allowing the existing barn to remain at its current location will not be injurious to the public health, safety, morals, and general welfare of the community. The barn has stood at this location for more than half a century with no identified injurious impacts.

Driveway width: Allowing the existing gravel driveway to remain at its current width will not be injurious to the public health, safety, morals, and general welfare of the community.

Determinate sidewalk variance: The granting of the variance will be injurious to the public health, safety, morals, or general welfare of the community since one of the primary reasons for the installation of sidewalks is to provide a safe location for pedestrians to walk along higher volume streets rather than walking in unimproved area along a road or within a road. The UDO standards for when a sidewalk is required were specifically written and revised to outline what situations sidewalks should be installed. Classified streets with higher traffic volumes are more dangerous situations for pedestrians and therefore have a higher priority to provide alternative transportation facilities, which is why these roads were chosen to not be exempt from requiring pedestrian facilities. Although the required segment of sidewalk is not expected to connect to other sidewalk segments on the east side of Rockport Road in the near future, even as a disconnected sidewalk it will provide a safety refuge in several situations, such as pedestrians exiting a vehicle legally parked on Rockport Road.

- (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 FINDINGS:

Accessory structure size: Allowing the existing barn to remain will not substantially affect surrounding properties. The barn has stood for more than half a century with no identified adverse impacts.

Accessory structure setback: Allowing the existing barn to remain at its current location will not substantially affect surrounding properties. The barn has stood at this location for more than half a century with no identified adverse impacts. The property owner of the abutting property to the east, which is the closest property to the barn, has expressed no objection to the existing location of the barn.

Driveway width: Allowing the existing gravel driveway to remain at its current width will not result in substantial adverse impacts to the use and value of surrounding properties. The existing driveway width provides some benefit to the abutting property to the north at 2225 South Rockport Road by providing a direct route from the drive cut at 2303 South Rockport Road to the parking area at 2225 South Rockport Road. The driveway is far enough from other properties and other driveways so that the wider driveway width is generally not noticeable from the street or other properties.

Determinate sidewalk variance: The granting of the variance will adversely affect the use and value of adjacent properties on the east side of Rockport Road, because there will not be a safety refuge for pedestrians in the near future and will not be a sidewalk connection in the farther future, compared to what would be provided if the required sidewalk were constructed now. However, this adverse impact is not expected to be substantial.

- (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 FINDINGS:

Accessory structure size: Strict application of the UDO results in a practical difficulty because it would require the existing barn to be demolished in order for allow any new construction on the property. The existence of a large barn on the property, still serving as a functional accessory structure more than half a century after it was constructed, is a condition peculiar to the property. Additionally the size of the parcel is much larger than the minimum lot size in the zoning district, and therefore the large size of the barn is actually proportionate to the size of the parcel. Granting the variance would allow the barn to remain after new construction on the property, relieving the practical difficulty.

Accessory structure setback: Strict application of the UDO results in a practical difficulty because it would require the existing barn to be relocated or demolished in order for allow any new construction on the property. The existence of a large barn on the property, still serving as a functional accessory structure more than half a century after it was constructed, is a condition peculiar to the property. Granting the variance would allow the barn to remain in its current location after new construction on the property, relieving the practical difficulty.

Driveway width: No practical difficulty is found. Although any new construction would require the driveway to be narrowed between the front property line and the required front building setback, this is well within the scope of normal site work accompanying construction of a new primary structure. There is nothing peculiar about the property or the configuration of existing improvements on the property which would prevent or make it difficult to bring the driveway width into compliance.

Determinate sidewalk variance: No practical difficulty is found in the use of the property. A compliant sidewalk could be constructed on this site. The property can and will continued to be used as a single-family dwelling even if the sidewalk is built.

20.06.080(b)(3)(E)(i)(3) Determinate Sidewalk Variance Approval Criteria:

While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

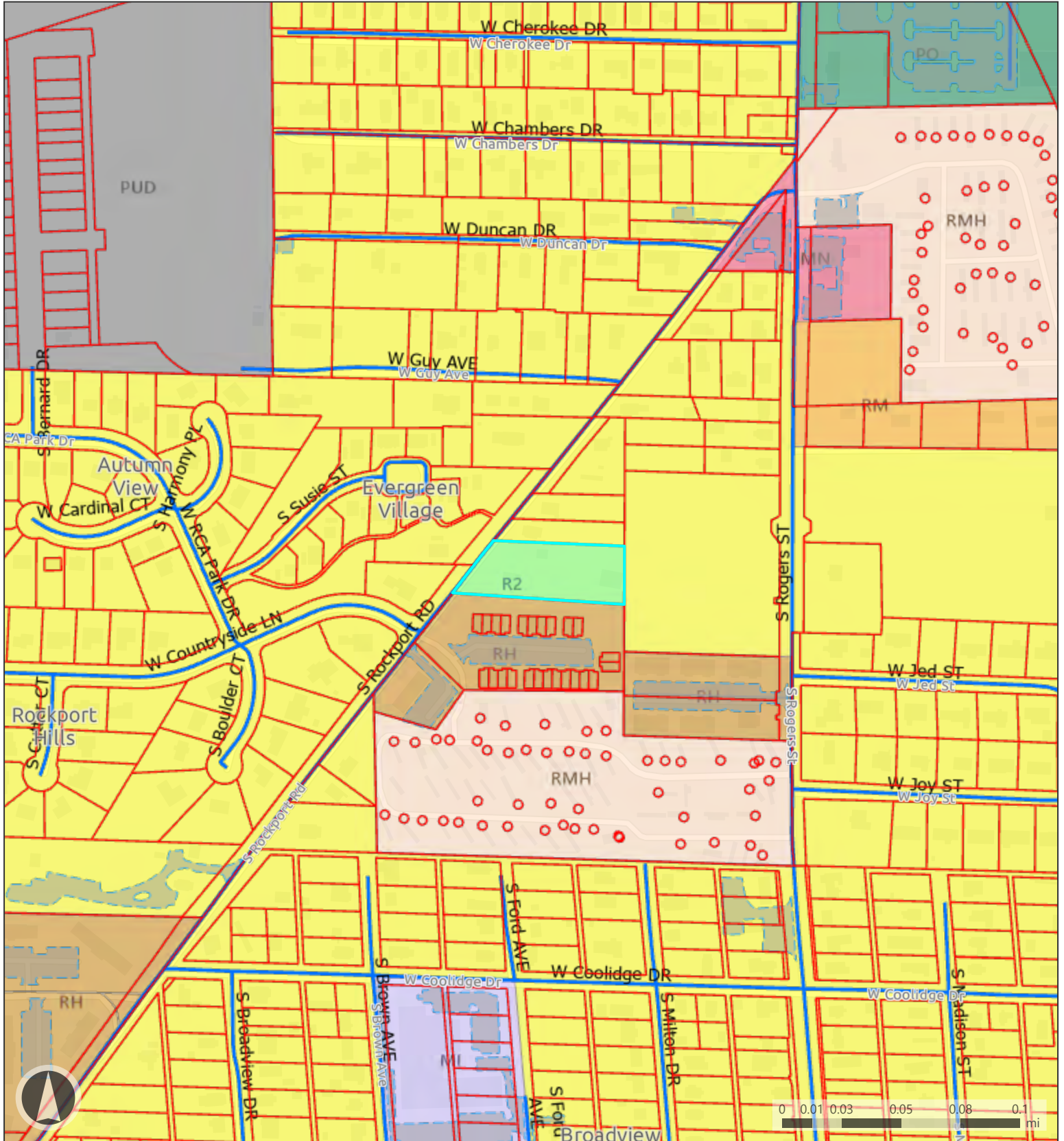
- [a] That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or*
- [b] That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or*

- [c] The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future;*
or
[d] The location of the lot or tract is such that a complete pedestrian network is present on the other of the street on the same block; or
[e] Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

Review of Determinate Sidewalk Criteria: The topography of the public right-of-way adjacent to the roadway includes a slope down from the existing curb to the property's front yard, which is at lower elevation than the road. In addition, there are existing utility poles and guy wires in the right-of-way adjacent to the road. Both the topography and the utility infrastructure add complications to the design and construction of a sidewalk, but do not make sidewalk construction impractical. Rockport Road is a high-volume street with approximately 4,500 average annual daily traffic (AADT) that also serves as a bicycle and pedestrian connection from the B-Line trail and the Switchyard Park area to Countryside Lane, RCA Community Park, and points south and west of downtown. Adjacent properties on the east side of Rockport Road are developed without sidewalks and there are no plans for additional sidewalk connections on this side of the block in the near future. However, given the observed and expected traffic in motor vehicles, bicycles, and pedestrians, it is reasonable to expect that a connected sidewalk network on this side of the block may be considered in coming years. Although there is an existing sidewalk on the west side of Rockport Road which connects to Rogers Street to the north, Countryside Lane to the west, and Tapp Road to the south, the high volume of traffic in motor vehicles, bicycles, and pedestrians on this collector-classified street justify a need for sidewalks on both sides. Properties in the surrounding area are already developed, mostly on a lot-by-lot basis in different years and decades, without any uniformity. Continued lot-by-lot redevelopment is also expected over time. Deferring sidewalk construction would not serve any uniformity of development in the area.

RECOMMENDATION: Based upon the report and written findings of fact above, the Department recommends that the Board of Zoning Appeals adopt the proposed findings for V-05-24 / VAR2024-02-0024, grant the requested variances for accessory structure size and accessory structure setback, and deny the variance for driveway width and the determinate sidewalk variance with the following condition:

1. The variance for accessory structure size and setbacks are for the existing barn in its current size and location only.



Map Legend

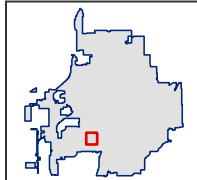
- Parcels
- Island; Building Island
- Paved Parking Lot

- City Maintained Streets

Street Typology

- Neighborhood Connector
- Neighborhood Residential

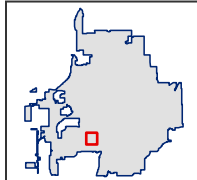
- Mixed-Use
- Mixed-Use
- Parks and Open





Map Legend

- Parcels
- City Maintained Streets
- Neighborhood Connector
- Neighborhood Residential
- Zoning District Boundary



Candi Sipes

2303 S Rockport Rd.

Bloomington, In 47403

To whom it may concern,

I am filing for several variances for my property 2303 S Rockport Rd. I currently live in the old house, but am planning to build a new house behind this one. Upon completion of the new house I will demolish the old one. I will also be demolishing the carport prior to the build of the new house, as it is very old and structurally unstable.

I would like to apply for a determinate sidewalk variance. There are no connecting sidewalks north or south. The steep grade near the road would also make it difficult to build, requiring much more work and money. There are fully compliant sidewalks on the other side of the street.

I have an existing enclosed accessory structure that is larger than 840 square feet and is not 5 feet from rear property line. The adjacent property is a vacant lot. The property owners of that lot have no problem with my structures size and location. I use that structure almost daily and would like to not have to alter it in any way.

The existing paved entrance from Rockport is wider than 18 feet. This driveway is used for my property and the adjacent property. It does not cause either of us any issues. We would prefer to leave it as it is if possible.

Thank you,

Candi Sipes

AREA FOR COUNTY RECORDER

BOUNDARY RETRACEMENT SURVEY
A PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH,
RANGE 1 WEST, MONROE COUNTY, INDIANA

Existing

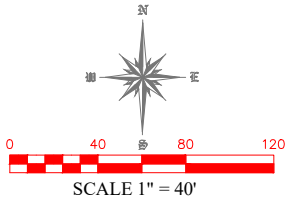
PROJECT LOCATION



LOCATION MAP

LEGEND

■	STONE FOUND	□	BRASS ROD FOUND
○	UTILITY POLE	▲	MAG SPIKE SET
⊙	REBAR FOUND	— —	WOOD FENCE
⊙	REBAR SET	—x—x—	FENCE
●	NAIL FOUND	—OP—	OVERHEAD POWER LINE
⊗	RR SPIKE FOUND	(R)	RECORD
○	PIPE FOUND	(M)	MEASURED
1234	ADDRESS	(C)	CALCULATED
▒	AREA >15% SLOPE	▒	TRANSFER AREA



NOTES:

- 5/8" rebar will be set at all property corners.
- Fieldwork completed April 2024.
- Basis of bearing (State Plane-Indiana West).
- Source of title now or formerly owned by Candi F. Sipes and Dana A. Biddle as found in Instrument Number 2023014185 in the Office of the Monroe County Recorder.
- Coordinates shown hereon were obtained from GPS observations. Indiana West Zone, NAD83, State Plane Grid Coordinates, US Survey Feet. Geoid model ContinentalUS_NGS2018.
- Coordinate data was collected using a Carlson BRX7 GPS and a Topcon FC-5000 Data Collector. Coordinate positions are grid north (Indiana State Plane West Zone).
- This survey is not complete without the accompanying surveyor's report.
- I affirm, under penalty for perjury, that I have taken responsible care to redact each Social Security Number in this document, unless required by law.
-ERIC L. DECKARD

REFERENCED SURVEYS:

- Reference is made to the plat of Technology Park Crossing Subdivision performed by Charles D. Graham dated November 7th, 2002 as found in Plat Cabinet "C", Envelope 320 in the Office of the Monroe County Recorder.
- Reference is made to a survey performed by Kevin Burton Potter for Woods dated August 4th, 2010 as found in Instrument Number 2011002611 in the Office of the Monroe County Recorder.
- Reference is made to a survey performed by Eric L. Deckard for Langley dated September 8th, 2022 as found in Job Number 20-147 in Deckard Land Surveying Files.

CERTIFICATION

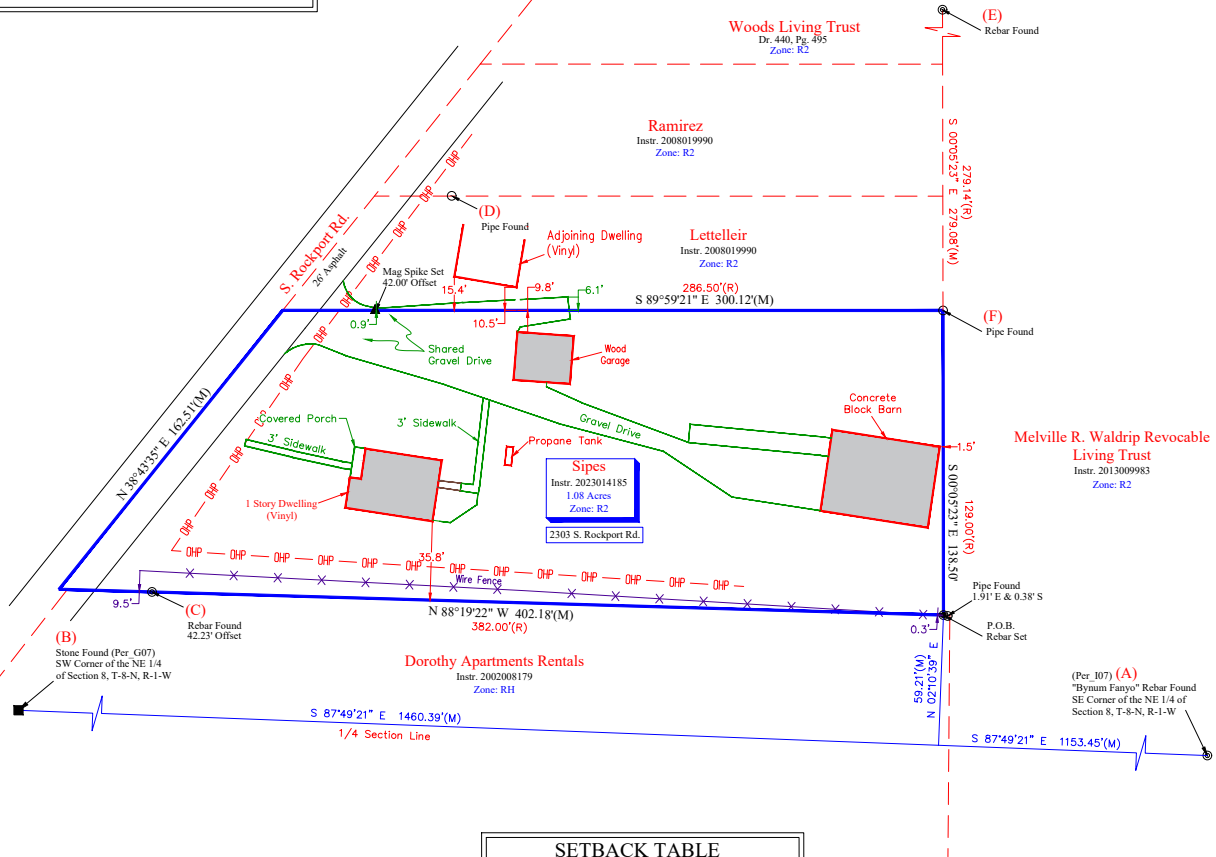
This certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

Easements have not been located in the field and prepared with this survey drawing. This qualification will be removed upon receipt and inspection of current title work.

Subject to the above reservation, the survey work shown hereon was performed either by me or under my direct supervision and control and to the best of my knowledge and belief was performed according to the survey requirements in 865 IAC 1-12-1 through 19.

Certified this 23rd day of April, 2024.

Eric L. Deckard
Registered Surveyor LS 29900012
State of Indiana



SETBACK TABLE

Front - 15' or the Median Front Setback of abutting Residential Structures, whichever is less.
Attached Front-Loading Garage or Carport - 25'
Side - First Floor - 8 Feet, Each Story above ground: 10'
Rear - 25'

ZONE: RESIDENTIAL MEDIUM LOT (R2)

DECKARD LAND SURVEYING
100 S. HENDERSON STREET
BLOOMINGTON, IN 47403
TEL: 317.346.1000
WWW.DLSURV.COM

BOUNDARY RETRACEMENT SURVEY
A PART OF SECTION 8, T8N, R1W

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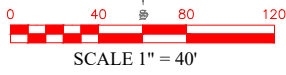
AREA FOR COUNTY RECORDER

BOUNDARY RETRACEMENT SURVEY
 A PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH,
 RANGE 1 WEST, MONROE COUNTY, INDIANA

Proposed



LOCATION MAP



LEGEND

■	STONE FOUND	□	BRASS ROD FOUND
○	UTILITY POLE	▲	MAG SPIKE SET
⊙	REBAR FOUND	—	WOOD FENCE
⊗	REBAR SET	— X —	FENCE
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1234	ADDRESS	(C)	CALCULATED
▨	AREA >15% SLOPE	▨	TRANSFER AREA

- NOTES:**
- 5/8" rebar will be set at all property corners.
 - Fieldwork completed April 2024.
 - Basis of bearing (State Plane-Indiana West).
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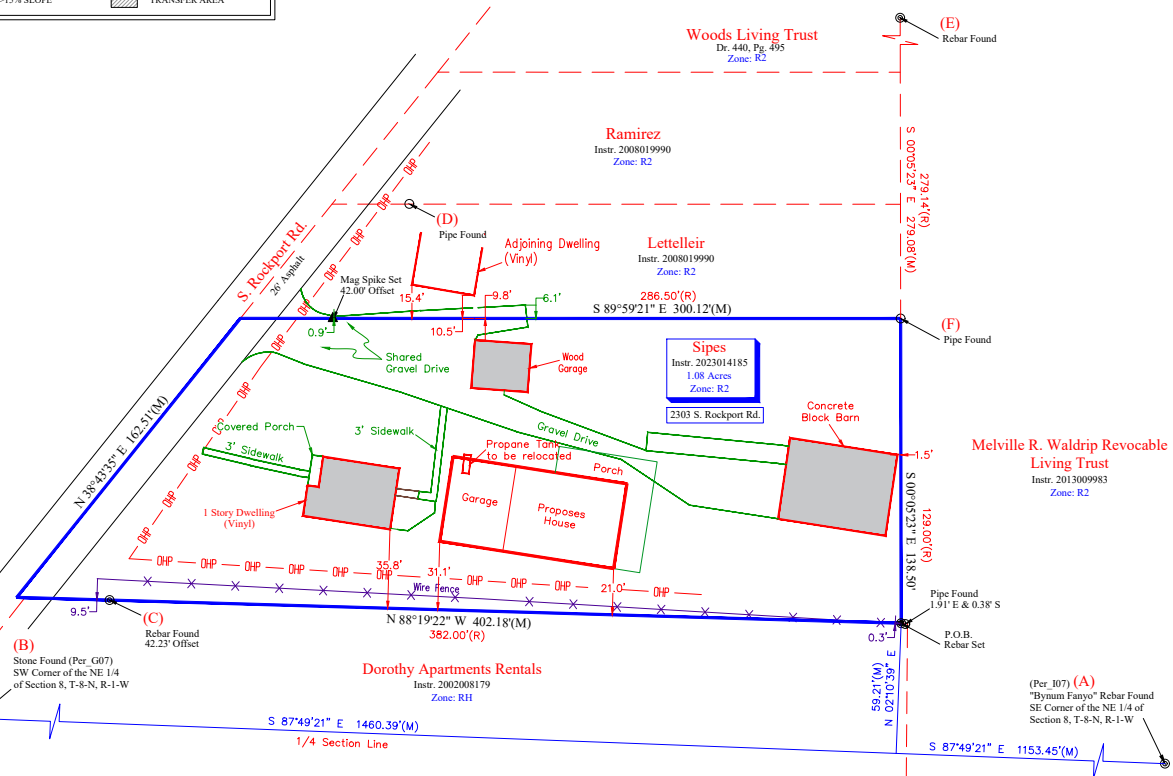
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ZONE: RESIDENTIAL MEDIUM LOT (R2)

DECKARD
 LAND SURVEYING
 1045 S. HENDERSON STREET
 BLOOMINGTON, INDIANA 47403
 TEL: 317.340.4444
 FAX: 317.340.4444
 WWW.DLSI.COM

BOUNDARY RETRACEMENT SURVEY
 A PART OF SECTION 8, T8N, R1W

DATE	12/12/24
BY	ERIC L. DECKARD
DATE	04/23/24
BY	ERIC L. DECKARD

DATE: 24-47

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DATE: 04/23/24

FILE: BNDY.SHT

BOUNDARY RETRACEMENT SURVEY
A PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH,
RANGE 1 WEST, MONROE COUNTY, INDIANA

SURVEYOR'S REPORT

In accordance with Title 865, I.A.C. 1-12 sections 1-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the location of lines and corners established on this survey as a result of:

- A). (Variances) in the reference monuments
B). (Discrepancies) in the record description and plats
C). (Inconsistencies) in lines of occupation and;
D). (Relative Positional Accuracy) "RPA"

The relative positional accuracy (due to random errors in measurement) of this survey is within that allowable for a Suburban class survey (0.13' plus 100 PPM) as defined I.A.C. Title 865 ("relative positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.)

SUBJECT PROPERTY:

A boundary survey was performed on the property now or formerly owned by Candi F. Sipes and Dana A. Biddle as found in Instrument Numbers 2023014185 in the Office of the Monroe County Recorder. The purpose of this survey was to retrace the boundary lines of the subject property as located in the Northeast Quarter of Section 8, Township 8 North, Range 1 West, Monroe County, Indiana.

REFERENCED MONUMENTS:

- A). A 5/8 inch diameter rebar with cap stamped "Bynum Fanyo" was found flush with grade marking the Southeast corner of the Northeast quarter of Section 8, Township 8 North, Range 1 West. The origin of this monument is unknown, however, was referenced in a survey performed by Eric L. Deckard for Langley dated September 8th, 2022. This rebar was found to agree with other monuments in the area and was accepted and held as said corner.
B). A 12 inch by 6 inch stone with "+" was found 5 inches above grade marking the Southwest corner of the Northeast Quarter of Section 8, Township 8 North, Range 1 West. The origin of this stone is unknown, however was found to be commonly accepted in several surveys in the area and was also found to be referenced in the Monroe County Surveyor's office as Corner I.D. "Per G-07". This monument was found to agree with other monuments in the area and was accepted and held as said corner.
C). A 5/8 inch diameter rebar was found 3 inches below grade marking a point on the south line of the subject property. This corner was believed to have been set in the original plating of Technology Park Crossing Subdivision performed by Charles D. Graham dated November 7th, 2002, as found in Plat Cabinet "C", Envelope 320 in the Office of the Monroe County Recorder. This rebar was found to agree with other monuments in the area and was accepted and held as said point on line.
D). A 3/4 inch diameter pipe was found 5 below grade marking a point on the north line of the land now or formerly owned by Lettelleir (Instr. 2008019990). The origin of this pipe is unknown, however was found to be referenced in a survey performed by Kevin Burton Potter for Woods dated August 4th, 2010, as found in Instrument Number 2011002611 in the Office of the Monroe County Recorder. This pipe was found to be the best evidence available and was accepted and held as said point on line.
E). A 5/8 inch diameter rebar was found 1 inch below grade marking the Northeast corner of the land now or formerly owned by Woods Living Trust (Dr. 440, Pg. 495). This rebar was believed to have been set in a survey performed by Kevin Burton Potter for Woods dated August 4th, 2010, as found in Instrument Number 2011002611 in the Office of the Monroe County Recorder. This rebar was found to agree with other monuments in the area and was accepted and held as said corner.
F). A 1 1/2 inch diameter pipe was found 3 foot above grade marking the Northeast corner of the subject property. The origin of this pipe is unknown, however was found to be referenced in a survey performed by Kevin Burton Potter for Woods dated August 4th, 2010, as found in Instrument Number 2011002611 in the Office of the Monroe County Recorder. This pipe was found to be the best evidence available and was accepted and held as said corner.

ESTABLISHMENT OF LINES AND CORNERS:

- 1). The north line of the subject property was established by first accepting and holding the geometry from the survey performed by Kevin Burton Potter for Woods dated August 4th, 2010 as found in Instrument Number 2011002611 in the Office of the Monroe County Recorder. Several monuments were found on Mr. Potter's survey to evaluate said geometry. The geometry from said survey was used along with the monument described in line "D" to establish the north line of the land now or formerly owned by Lettelleir (Instr. 2008019990). It is my belief that the intent of the subject deed was to create parallel east / west running lines. With this being considered, the established north line of the land now or formerly owned by Lettelleir (Instr. 2008019990) was used with the record distance of 52.00 along the east line of said Lettelleir survey to establish the north line of the subject property. This established line fell within +/- 0.06 feet of an existing pipe that was mentioned under line "F", so I held the pipe as the corner.
2). The east line of the subject property was established by accepting and holding the monuments described in lines "E" and "F" and projecting this line to the north line of the land now or formerly owned by Dorothy Apartments Rentals (Instr. 2002008179). This north line was previously established in the plat of Technology Park Crossing Subdivision performed by Charles D. Graham dated November 7th, 2002, as found in Plat Cabinet "C", Envelope 320 in the Office of the Monroe County Recorder.
3). The south line of the subject property was established by accepting and holding the geometry of Technology Park Crossing Subdivision performed by Charles D. Graham dated November 7th, 2002, as found in Plat Cabinet "C", Envelope 320 in the Office of the Monroe County Recorder. Several monuments were found on Mr. Graham's survey to evaluate said geometry. This said geometry was used along with the monument described in line "C" to establish the south line of the subject property. This established line was trimmed / extended to the east and west lines of the subject property as described in lines "2" and "4".

4). The centerline of S. Rockport was accepted and held as the west line of the subject property. No discrepancies are associated with this line.

RECORD DESCRIPTION:

1). The subject description describes an overall 9-acre tract of land being a part of the Northeast Quarter and the Southeast Quarter of Section 8, Township 8 North, Range 1 West. This overall description was found to not close mathematically by +/- 18.21 feet in mostly the North and South directions. Two exceptions are then removed from said 9-acre tract and our subject property is what is left after said exceptions. The subject description was found to be poorly written with several mathematical misclosures. A new legal description was prepared in this survey to help eliminate any further discrepancies that might arise.

SURVEY DESCRIPTION

A part of the Northeast Quarter of Section 8, Township 8 North, Range 1 West in Monroe County, Indiana, being that 1.08 acre parcel surveyed by Eric L. Deckard, Indiana Professional Surveyor #29900012 and shown on a plat of survey as Deckard Land Surveying Job No. 24-47, being more particularly described as follows:

Commencing at a stone marking the Southwest Corner of the Northeast Quarter of said Section 8; thence along the South line of the Northeast Quarter of said Section 8 South 87 degrees 49 minutes 21 seconds East for a distance of 1460.39 feet; thence leaving said South line North 02 degrees 10 minutes 39 seconds East for a distance of 59.21 feet to a rebar stamped "Deckard", marking the Point of Beginning; thence North 88 degrees 19 minutes 22 seconds West for a distance of 402.18 feet to the centerline of S. Rockport Road, passing through a rebar at 359.94 feet; thence along said centerline North 38 degrees 43 minutes 35 seconds East for a distance of 162.51 feet; thence leaving said centerline South 89 degrees 59 minutes 21 seconds East for a distance of 300.12 feet to a pipe, passing through a mag spike with washer stamped "Deckard" at 42.00 feet; thence South 00 degrees 05 minutes 23 seconds East for a distance of 138.50 feet to the Point of Beginning, containing 1.08 acres, more or less.

CERTIFICATION

This certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

Easements have not been located in the field and prepared with this survey drawing. This qualification will be removed upon receipt and inspection of current title work.

Subject to the above reservation, the survey work shown hereon was performed either by me or under my direct supervision and control and to the best of my knowledge and belief was performed according to the survey requirements in 865 IAC 1-12-1 through 19.

Certified this 23rd day of April, 2024.

Eric L. Deckard
Registered Surveyor LS 29900012
State of Indiana

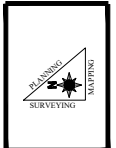


AREA FOR COUNTY RECORDER

PERRY TWP. TOWNSHIP 8 N RANGE 1 W SECTION 8

DEVELOPER, APPLICANT &/OR OWNER
CANDI F. SIPES & DANA A. BIDDLE
INSTRUMENT NUMBER 2023014185
2303 S. ROCKPORT RD.
BLOOMINGTON, INDIANA 47403

DECKARD LAND SURVEYING
1005 S. HENDERSON STREET
BLOOMINGTON, INDIANA 47403
TEL: 317.336.1111 FAX: 317.336.1112
WWW.DECKARDLANDSURV.COM



SIPES BOUNDARY RETRACEMENT SURVEY
A PART OF SECTION 8, T8N, R1W

Table with 2 columns: DATE, DESCRIPTION. Includes entries for 04/23/24 and 04/23/24.

Table with 2 columns: DATE, TIME. Includes entries for 04/23/24 and 04/23/24.

24-47
2
2
04/23/24
BNDY.SHT

March 9, 2024,

TO: Monroe County Board of Zoning Appeals
501 N Morton St Ste 224,
Bloomington, IN 47404

RE: Variance Request for 2303 S Rockport Rd, Bloomington, IN 47403

To Who It May Concern,

My husband and I are the executors of the Melville R Waldrip Trust which owns the property located at 2130 S Rogers St, in Monroe County [parcel number 53-08-08-100-022.000-009]. The Rogers St property is the adjoining property to 2303 S Rockport Rd in Monroe County [parcel number 53-01-51-137-500.000-009].

This letter is to acknowledge that we are aware of and have no quarrel with the existing structure, located on the 2303 S Rockport Rd property, being less than the variance allowance where the properties adjoin.

Kind Regards,

A handwritten signature in black ink that reads "Mike & Terri Morrison". The signature is written in a cursive, flowing style.

Mike & Terri Morrison

Cc: Candi Sipes

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT – Second Hearing
LOCATION: 506 E. Wylie Street

CASE#: CU-17-24
DATE: June 20, 2024

PETITIONER: Bloomington Builders LLC & Latitude 39 North Properties, LLC
 PO Box 67
 Bloomington, IN 47402

REQUEST: The petitioner is requesting Conditional Use approval to allow a “Dwelling, duplex” use in the Residential Small Lot (R3) zoning district.

FIRST HEARING SUMMARY: This petition was heard at the May 23, 2024 hearing and continued to allow the petitioner the opportunity to address comments from the neighbors and Board of Zoning Appeals members. Comments expressed at the first hearing included a desire to reduce the number of bedrooms, reduce the size of the structure to match existing homes along Wylie, and consider adding additional parking. The petitioner did meet with some members of the neighborhood after the hearing, however there were no changes submitted with the petition.

REPORT: The property is located at 506 E. Wylie Street and is zoned Residential Small Lot (R3). All surrounding properties are zoned Residential Small Lot (R3) and have been developed with single family residences. The property is currently vacant and within the Bryan Park Neighborhood Association area.

The petitioner is proposing to develop the site with a new duplex. The residence would face Wylie Street and be accessed by a driveway along the east side of the residence. Each unit would have its own entry facing Wylie Street with a sidewalk connecting the residence to Wylie Street. There is no sidewalk along this property frontage or sidewalks along adjacent properties. This petition would not be required to install a sidewalk along the property frontage, however new street trees are required and have been shown. The new residence will be two-stories with three bedrooms in each unit.

This petition was presented to both the Bryan Park and Elm Heights Neighborhood Associations. At those meetings neighbors expressed concerns regarding the amount of parking provided, the location of the driveway on the property, tree preservation, and potential for future home ownership of the units. In response to those comments the petitioner has adjusted the location of the driveway on the property to relocate it away from the residence to the west, and extended the length of the driveway. Unfortunately the location of a large Sycamore tree in the center of the property cannot be avoided. Each individual unit in the duplex will have its own entrance and separate utility connection to enable the possibility of future ownership through a condominium design.

The petitioner is requesting conditional use approval to allow the establishment of a “Duplex, dwelling” use on the property.

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 and this petition meets those standards. The property owner does not have any notices of violation on file. Each unit has its own separate exterior entrance and the design of the building incorporates many elements similar to surrounding residences on this block face including- pitched roof, covered porches, and building setback. The structure will contain no more than six bedrooms. Each unit will have its own separate utility meters. The petitioner did attend Bryan Park and Elm Heights Neighborhood Association meetings and presented this petition as required. There are no other known applicable regulations for this petition. There are water and sewer connections available in Wylie Street and no conflicts with connecting to those services have been identified. There are no known prior approvals for this site.

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 the Mixed Urban Residential land use category is largely in older neighborhoods and that redevelopment should be compatible with surroundings. Policy 5.3.1 encourages opportunities for infill and redevelopment across Bloomington with consideration for increased residential densities, complementary design, and underutilized housing types such as accessory dwelling units and duplexes. This location is also well served by existing services and utilities. The proposal also accomplishes many of the design goals of the Comprehensive Plan in relation to compatibility with adjacent structures and has a clear relationship with the adjacent public street through the sidewalk connection from the residence to the sidewalk on the street. 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 with the proposed 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 regulated natural or scenic features that will be impacted. Although there is one tree in the center of the property that the neighborhood expressed a desired to save, the location of the tree in the center of the property does not allow it to be saved and still develop the lot. The building is not located within a historic district. No significant adverse impacts are expected from the creation of the proposed duplex. No changes to trash and waste collection service are expected. Concerns from adjoining property owners were expressed at the respective Neighborhood Meetings and most have been addressed through the changes mentioned previously.

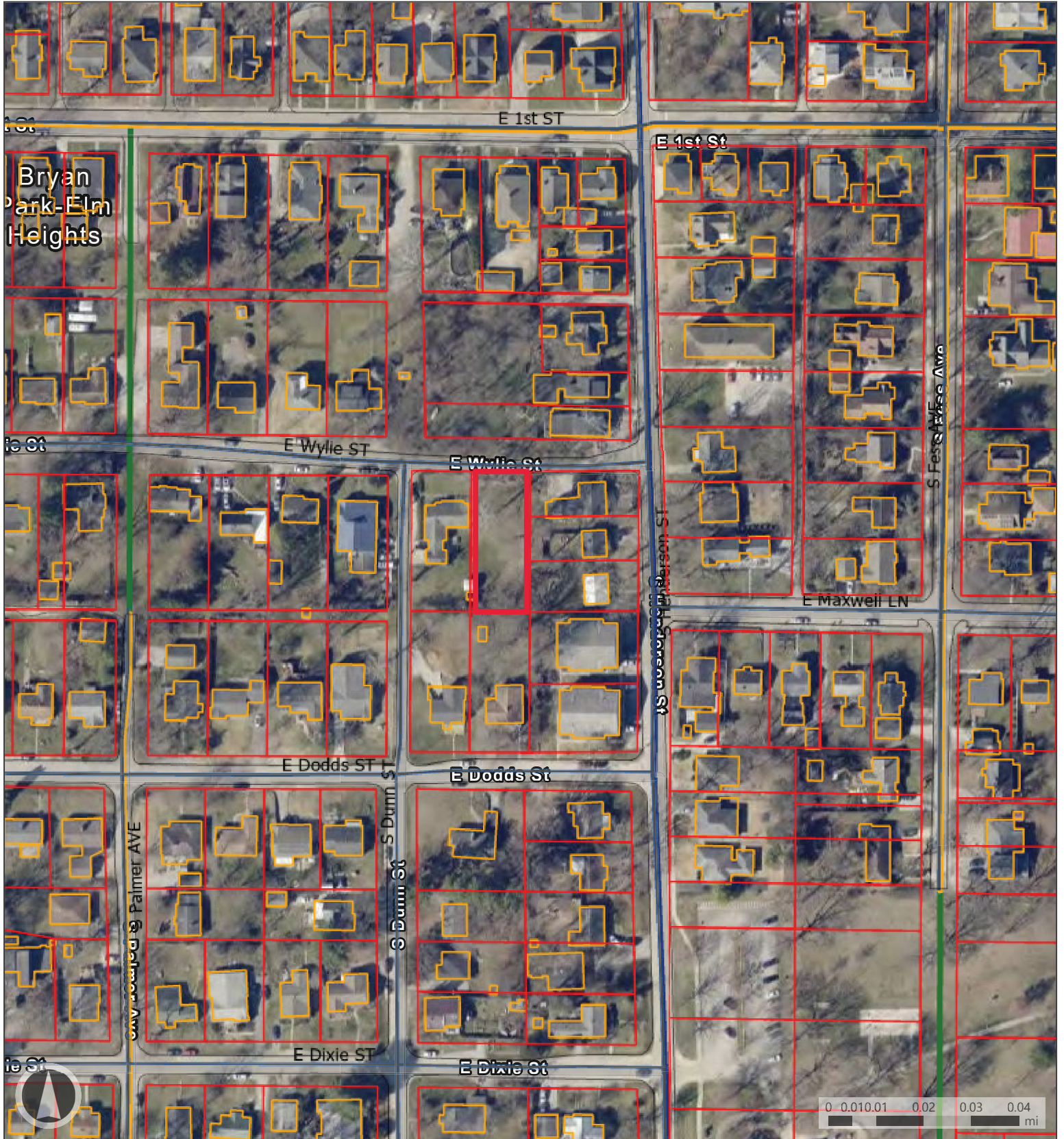
iv. *Rational Phasing Plan*

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.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU-17-24 with the following conditions:

1. This conditional use approval is limited to the design shown and discussed in the packet.
2. Street trees not more than 30' from center are required along the property frontage.



Map Legend

- Parcels
- Buildings
- Pavement

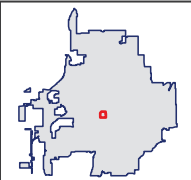
- Alley
- Current
- City Maintained Streets

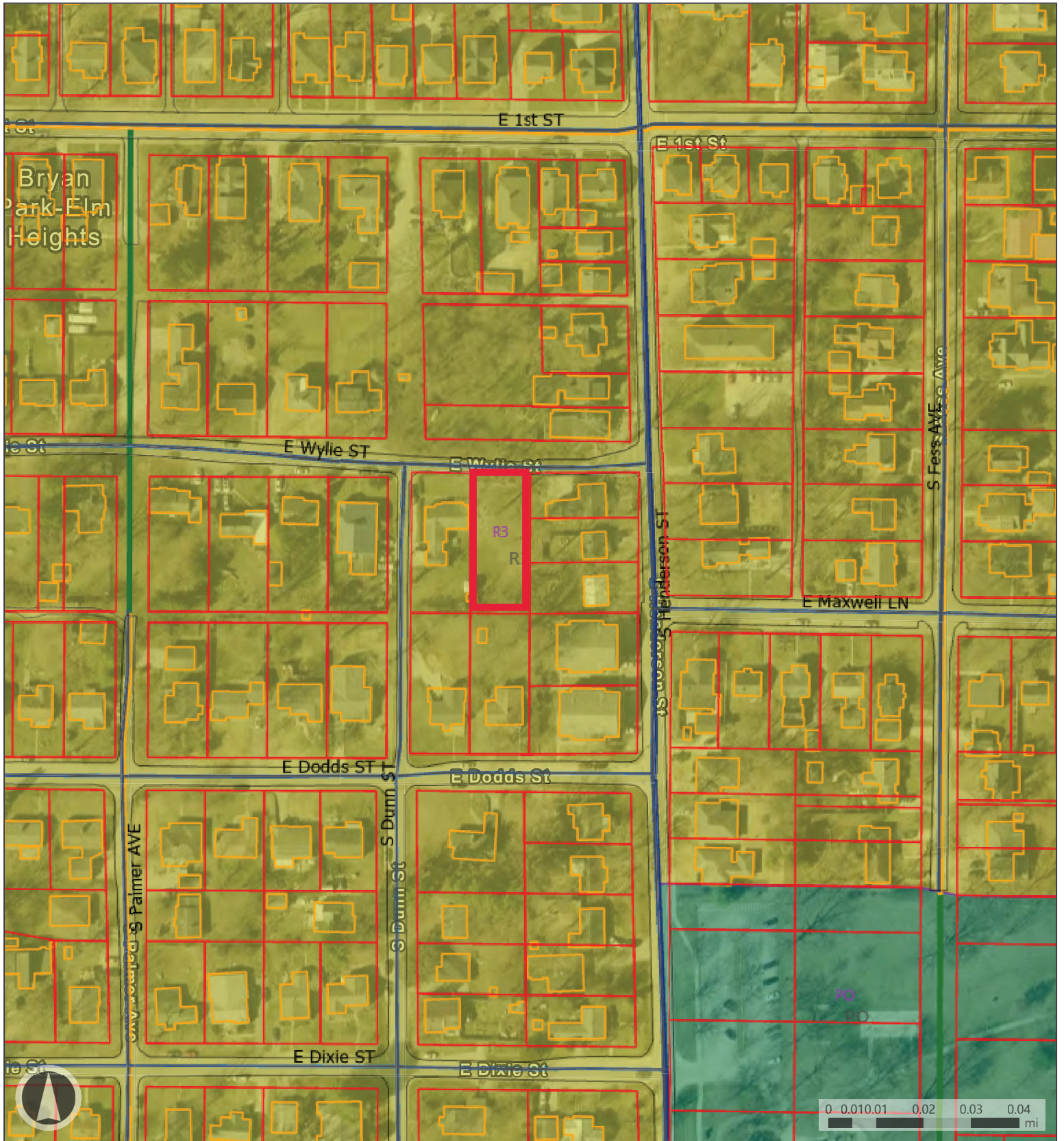
Street Typology

- Neighborhood Connector
- Neighborhood Residential

Functional Classification

- Secondary Arterial
- Primary Collector





Map Legend

- Parcels
- Buildings
- Pavement

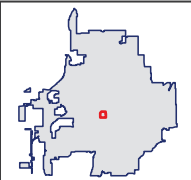
- Alley
- Current
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Street Typology

- Neighborhood Connector
- Neighborhood Residential

Functional Classification

- Secondary Arterial
- Primary Collector



506 East Wylie Street, LLC

PO Box 67, Bloomington, Indiana

Petitioner's Statement

506 East Wylie Street Residence

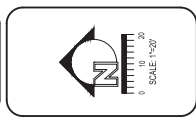
Petitioner: 506 East Wylie Street, LLC, Bloomington, Indiana

Property Description

506 East Wylie Street is a vacant, residential lot near the intersection of East Wylie Street and South Henderson Street in the Bryan Park Neighborhood. The property is zoned R3 (Residential Small Lot). The property is bounded by single family residential uses on all sides as well as multifamily apartments to the Southeast. Adjacent Zoning is R3 on all sides.

Conditional Use Request

506 East Wylie Street, LLC, is filing a request for Conditional Use per the UDO for Dwelling, Duplex construction in R3 Zoning. The proposal meets the design requirements and the development standards in the UDO. The proposal consists of a new 1.5-story structure that includes two 3 bedroom, 3 bath dwelling units. The design reflects the requirements of the UDO in that separate exterior entrances for each unit face East Wylie Street. Additionally, various gable roof pitches reflect similar roof styles found in the surrounding neighborhood. The combination of horizontal "lap style" and vertical board and batten siding also help differentiate each dwelling unit. The building setback and vehicular access is also consistent with other homes along East Wylie Street. New water and sewer service, separate for each unit, has been coordinated with City of Bloomington Utilities and Engineering, and new electrical service, separate for each unit, will be coordinated with Duke Energy. Upon approval, construction would likely begin in December of 2024 with completion expected in the Summer of 2025.



**BOUNDARY SURVEY
E WYLLIE STREET
SEC 4-T8N-R1W
BLOOMINGTON, INDIANA**

NO.	DATE	BY	REVISIONS

FILED	TS
TMB	TMB
TMB	TMB
TMB	TMB

6899 SHEET 1 OF 1
DATE 4/3/24
BOUNDARY SURVEY

LEGAL DESCRIPTION
Lot 127 in Allendale Second Addition to the City of Bloomington, Indiana, as shown by the plat recorded in Plat Cabinet B, Envelope 41, in the office of the Recorder of Monroe County, Indiana. ALSO, all Grants right, title and interest in and to a narrow alley adjacent to Lot 127, described above.

- GENERAL NOTES**
- 1) ALL MONUMENTS FOUND IN PERFORMANCE OF THIS SURVEY WERE FOUND FLUSH WITH THE EXISTING GROUND UNLESS OTHERWISE NOTED, AND THE AGE AND ORIGIN OF SAID FOUND MONUMENTS ARE UNKNOWN UNLESS OTHERWISE NOTED.
 - 2) ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE LABELLED.
 - 3) ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE LABELLED.
 - 4) REFERENCE IS MADE TO THE FOLLOWING SURVEYS OR PLATS:
ALLENDALE SECOND ADDITION

SURVEYOR'S REPORT
JOB NUMBER: 0809
DATE OF SURVEY: 4/3/24
CLASS OF SURVEY: SUBURBAN SURVEY (86S AC 1-12)
LOCATION OF SURVEY: E WYLLIE ST, BLOOMINGTON, INDIANA
IN ACCORDANCE WITH TITLE 86S, ARTICLE 1, CHAPTER 12 (RULE 12) OF THE INDIANA ADMINISTRATIVE CODE (IAC), THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SURVEY AND HAS FOUND THE POSITION OF THE LINES AND CORNERS ESTABLISHED AND/OR REESTABLISHED ON THIS SURVEY AS A RESULT OF:

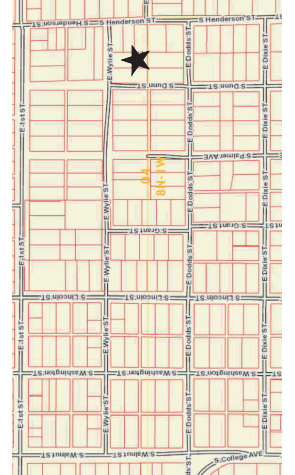
- 1) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS.
 - 2) OCCUPATION OR POSSESSION LINES.
 - 3) OCCUPATION OR POSSESSION LINES.
 - 4) MEASUREMENTS RELATIVE POSITIONAL ACCURACY.
- NOTE: THERE MAY EXIST UNWRITTEN RIGHTS ASSOCIATED WITH THESE UNCERTAINTIES.
- 1) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS
2) CLARITY AND/OR AMBIGUITY OF THE RECORD DESCRIPTION(S)
3) OCCUPATION OR POSSESSION LINES
4) MEASUREMENTS RELATIVE POSITIONAL ACCURACY (AS SHOWN HEREON)
- 2008 ILLINOIS SURVEYING ACT: 133.100 PLUS 100 PARTS PER MILLION (AS DEFINED IN 86S AC 1-12, EFFECTIVE MAY 4, 2008)

SURVEYOR'S CERTIFICATE
I, THE SURVEYOR, HAVE PERSONALLY BEEN HELD FOR THEIR RESPECTIVE CORNERS.
THIS SURVEY WAS PERFORMED UNDER THE DIRECTION OF THE UNDERSIGNED, AND TO THE BEST OF THIS SURVEYOR'S KNOWLEDGE AND BELIEF, ALL NECESSARY MEASUREMENTS AND RECORDS IN 86S AC 1-12 FOR THE STATE OF INDIANA, THE FIELD WORK WAS COMPLETED ON APRIL 1, 2024.



DATED APRIL 3, 2024
TODD M. BOROMANN
REGISTERED LAND SURVEYOR NO. 21200021
STATE OF INDIANA

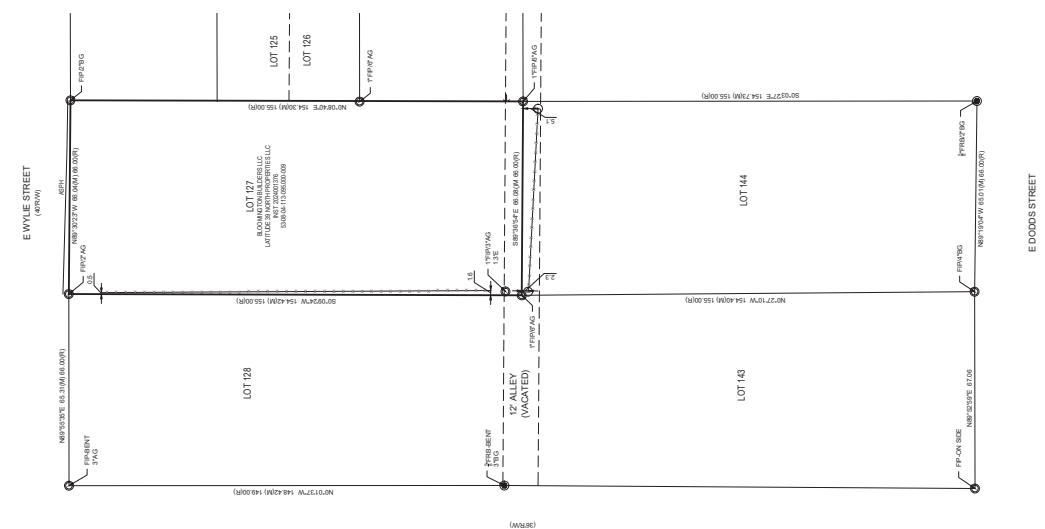
I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT UNLESS REQUIRED BY LAW. (TODD BOROMANN)



LEGEND

- RESUME
- STONE
- REBAR
- IRON PIPE
- WOOD PIPE
- CONCRETE
- WOOD
- IRON
- STEEL
- ALUMINUM
- COPPER
- BRASS
- LEAD
- ZINC
- STEEL
- ALUMINUM
- COPPER
- BRASS
- LEAD
- ZINC

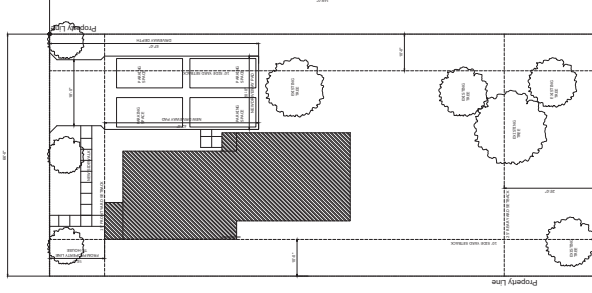
BASIS OF BEARINGS
INDIANA STATE PLANE,
NAD 83 ZONE





01 VICINITY MAP

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



02 PROPOSED SITE PLAN

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

- TREE PLAN** - NEW STREET TREES TO BE PLANTED SHALL BE GREATER THAN 30' FROM CENTERLINE OF STREET AND SHALL BE PLANTED AT THE CURB AND SHALL BE PLANTED TO O.H. UTILITY LINES
- SEWER** - NEW 8" SEWER CONSTRUCTION TO BE INSTALLED AND CONNECTION TO EXISTING SEWER MAIN TO BE MADE BETWEEN STREET CURB AND NEW SEWER CONSTRUCTION

Bloom
Design + Build
 Design • Construction • Consulting

SCOPE OF WORK:
 REFER TO ARCHITECTURAL SHEETS BY OTHERS FOR SCOPE

EAST WYLIE NEW DUPLEX
 East Wylie Street
 Bloomington, IN 47401

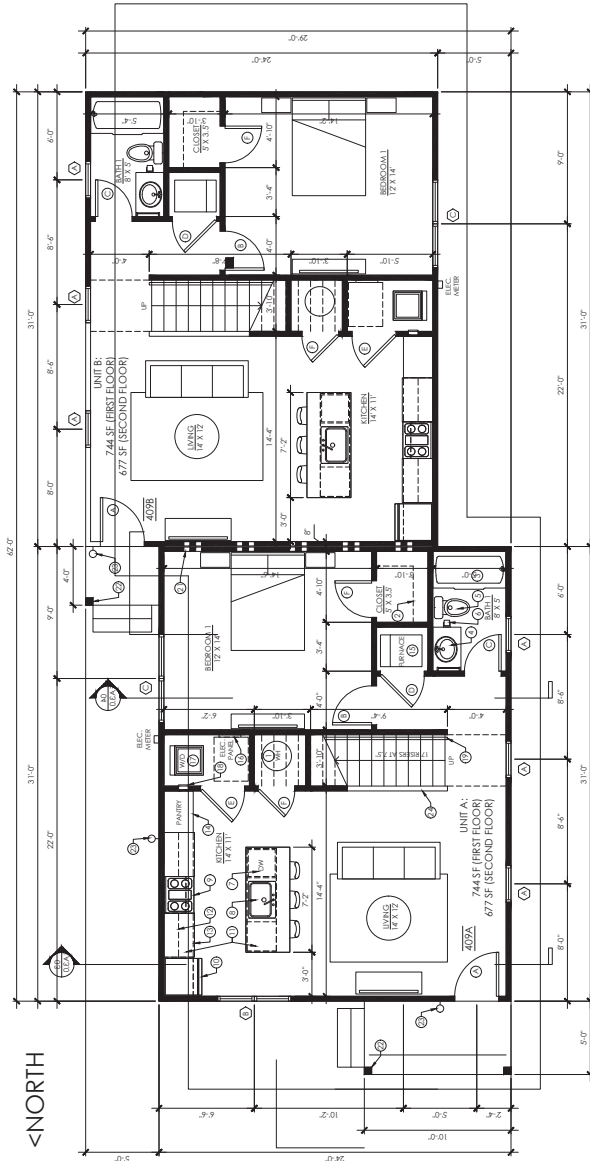
Table of Contents
 SITE PLAN

No.	Revision / Issue	Date
1		
2		
3		
4		

Project Name: SITE PLAN
 Date: 05-13-2024
 Drawn By: Bloom design build
 Scale: Refer to Sheets

506 East Wylie Street Duplex Preliminary Plan Set

OWNER:
506 EAST WYLIE STREET, LLC



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

DOOR SCHEDULE	DOOR	FRAME	REMARKS
1	1-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
2	2-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
3	3-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
4	4-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
5	5-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
6	6-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
7	7-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
8	8-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA
9	9-2 1/2' x 6-6" S.W. WOOD	WOOD	PAINTED OPTIMA

DOOR TYPES	GENERAL NOTES
1	A. FINN DOOR SUBJECT TO OWNER
2	B. 2 1/2" MIN. CLEARANCE AND FINN DOOR SUBJECT TO OWNER
3	C. ALTERN. FINN DOOR SUBJECT TO OWNER
4	D. CARNAGE FINN DOOR SUBJECT TO OWNER
5	
6	
7	
8	
9	

WINDOW SCHEDULE	WINDOW	REMARKS
1	1-12' x 6-6" WOOD	PAINTED OPTIMA
2	2-12' x 6-6" WOOD	PAINTED OPTIMA
3	3-12' x 6-6" WOOD	PAINTED OPTIMA
4	4-12' x 6-6" WOOD	PAINTED OPTIMA
5	5-12' x 6-6" WOOD	PAINTED OPTIMA
6	6-12' x 6-6" WOOD	PAINTED OPTIMA
7	7-12' x 6-6" WOOD	PAINTED OPTIMA
8	8-12' x 6-6" WOOD	PAINTED OPTIMA
9	9-12' x 6-6" WOOD	PAINTED OPTIMA

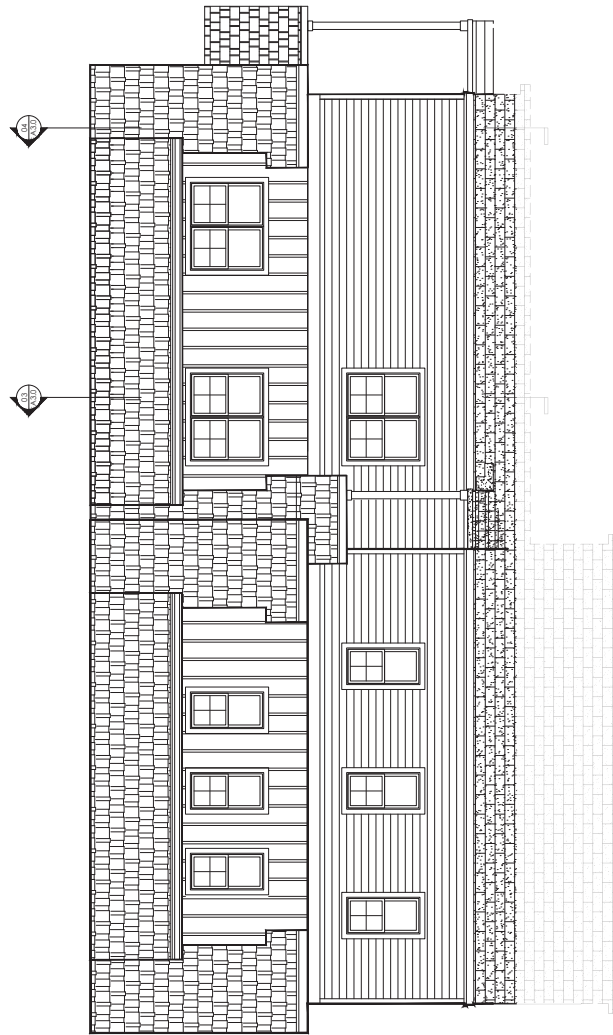
WINDOW TYPES	GENERAL NOTES
1	A. FINN WINDOW SUBJECT TO OWNER
2	B. 2 1/2" MIN. CLEARANCE AND FINN WINDOW SUBJECT TO OWNER
3	C. ALTERN. FINN WINDOW SUBJECT TO OWNER
4	D. CARNAGE FINN WINDOW SUBJECT TO OWNER
5	
6	
7	
8	
9	

ROOM FINISH SCHEDULE	ROOM	FINISH	REMARKS
1	1-LIVING AREA	WOOD	PAINTED OPTIMA
2	2-KITCHEN	WOOD	PAINTED OPTIMA
3	3-BEDROOM	WOOD	PAINTED OPTIMA
4	4-BATHROOM	WOOD	PAINTED OPTIMA
5	5-HALL	WOOD	PAINTED OPTIMA
6	6-CL. 1	WOOD	PAINTED OPTIMA
7	7-CL. 2	WOOD	PAINTED OPTIMA
8	8-CL. 3	WOOD	PAINTED OPTIMA
9	9-CL. 4	WOOD	PAINTED OPTIMA

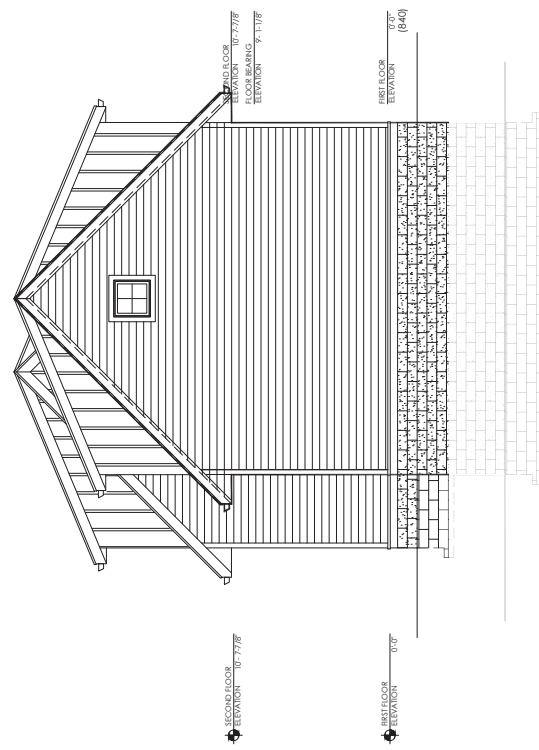
GENERAL NOTES	ROOM FINISH KEY
A. WALLS TO BE PAINTED OPTIMA WALL BOARD	1-PAINTED OPTIMA WALL BOARD
B. CEILING TO BE PAINTED OPTIMA WALL BOARD	2-PAINTED OPTIMA WALL BOARD
C. FLOORS TO BE PAINTED OPTIMA WALL BOARD	3-PAINTED OPTIMA WALL BOARD
D. ALL OTHER FINISHES TO BE SELECTED BY OWNER	4-PAINTED OPTIMA WALL BOARD
	5-PAINTED OPTIMA WALL BOARD
	6-PAINTED OPTIMA WALL BOARD
	7-PAINTED OPTIMA WALL BOARD
	8-PAINTED OPTIMA WALL BOARD
	9-PAINTED OPTIMA WALL BOARD

GENERAL NOTES:

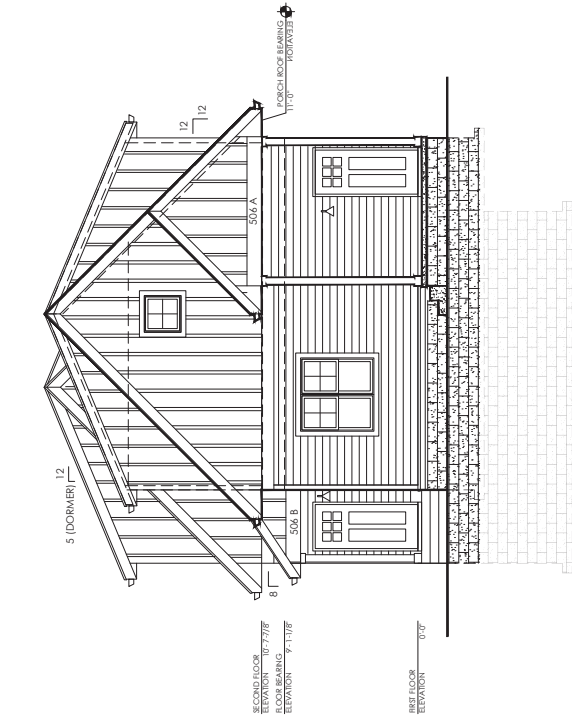
- 1. ALL WALLS TO BE PAINTED OPTIMA WALL BOARD
- 2. ALL CEILING TO BE PAINTED OPTIMA WALL BOARD
- 3. ALL FLOORS TO BE PAINTED OPTIMA WALL BOARD
- 4. ALL OTHER FINISHES TO BE SELECTED BY OWNER
- 5. FINN DOOR SUBJECT TO OWNER
- 6. 2 1/2" MIN. CLEARANCE AND FINN DOOR SUBJECT TO OWNER
- 7. ALTERN. FINN DOOR SUBJECT TO OWNER
- 8. CARNAGE FINN DOOR SUBJECT TO OWNER
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EAST ELEVATION
SCALE: 1/4" = 1'-0"



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



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



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



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

506 East Wylie Proposed Duplex Construction

Amy Stupka <amyrunswithhorses@gmail.com>

Thu, May 9, 2024 at 3:52 PM

To: scanlanj@bloomington.in.gov, planning@bloomington.in.gov

Greetings Jackie and all,

My husband and I live north of the proposed construction site, and have some concerns related to the proposed 6 bedroom, 6 bathroom duplex construction. Our primary concern is for the safety of the neighborhood related to traffic and parking congestion on Wylie. Even now, with that lot currently vacant, cars frequently fill the narrow road creating a one-way street. Our neighbor accross Wylie frequently has difficulty backing out of his driveway, and it is difficult for pedestrians to see what is coming without stepping into the road. We are very concerned that the addition of 6 more cars to this small area of road will create an unsafe situation. Even though 4 parking spaces will be part of the plan, it seems clear that even the addition of a minimum of 2 more cars coming is a concern.

Another major concern is the existence of a magnificent sycamore tree that beautifies the intersection and neighborhood surroundings. Such trees exemplify the beauty of this special neighborhood as well as provide a nesting location for hawks and other wildlife adding to the character. We expressed our concerns to the contractor directly, and feel that he was very receptive to the concerns, but want to make sure that planners are also aware of them.

Is it possible to restrict street parking on Wylie to residents? These restrictions could help alleviate the current problem as well as help prevent worsening the situation with the addition of as many as 6 more drivers.

Thank you very much for your attention to these concerns.

Sincerely,

Amy Stupka
814 South Henderson Street
828-215-6098



Eric Greulich <greulice@bloomington.in.gov>

Fwd: 506 E. Wylie Duplex Proposal

Jacqueline Scanlan <scanlanj@bloomington.in.gov>
To: Eric Greulich <greulice@bloomington.in.gov>

Fri, May 3, 2024 at 3:16 PM

I'm sure you'll get this from the front, but fyi!

Jackie

----- Forwarded message -----

From: **ian woollen** <iwool@hotmail.com>

Date: Fri, May 3, 2024 at 2:47 PM

Subject: RE: 506 E. Wylie Duplex Proposal

To: planning@bloomington.in.gov <planning@bloomington.in.gov>, scanlanj@bloomington.in.gov <scanlanj@bloomington.in.gov>, isabel.piedmont@bloomington.in.gov <isabel.piedmont@bloomington.in.gov>, caylan.m.evans@gmail.com <caylan.m.evans@gmail.com>

Hi - I was at the BPNA meeting last night and heard the presentation from architect/developer Caylan Evans for a new duplex at 506 E. Wylie.

I just want to register my concern that the arrangement of 6 beds with 6 baths seems obviously aimed at the student market, rather than a family tenant. Cutting the number of bathrooms from 3 down to 2 in each unit would allow for a larger master bedroom and be more likely to attract a family tenant.

Thanks for your time.

Regards,

Ian Woollen

1106 S. Washington

May 17, 2024

Dear Members of the Bloomington Zoning Appeals:

I am writing to ask you to reject the proposed infill project at 506 E. Wylie. The project is too big to maintain a consistency of style with the existing mid-century style houses on Wylie. It's a challenge to fit 6 bedrooms and 6 bathrooms in any house. Also, the proposed project does not meet design mandates of the UDO (see below).

The proposed, large, multi-gabled roof lines, vertical roof pitch and orientation of the building does not resemble the established style of the established houses on Wylie. The houses on Wylie, from Henderson to Lincoln, were built in the early 1950s and are exceptionally consistent and harmonious in the roof pitch, porch depth, front building setbacks, massing, shape, size, and design with the broad side of the house facing Wylie. In this letter I have included images of all the houses on the south side of Wylie.

At our last Bryan Park Neighborhood Association meeting, the developer was asked how he was going to address this design issue. He did say it was a problem but did not offer a solution. At the Elm Heights neighborhood meeting, the developer said he was going to revise the plans. Several neighbors requested a readable digital file because the document he brought was so small that many of the numbers were unreadable. At this date, we have not received any.

The Bryan Park houses are generally more affordable than most of the neighborhoods in Bloomington. We have seen an uptick of developers purchasing property in the neighborhood for the land itself. The developer said that the price range for the duplex was going to be approximately \$1,000 per bedroom.

One of the goals for infill projects in the Comprehensive Plan is to ensure all land development activity makes a positive and lasting community contribution. This project will not meet this goal.

Sincerely,
Jan Sorby

From the UDO:

Pg. 89: Chapter 20.03, Use Regulations Design: In the R1, R2, R3, and R4 zoning districts the following shall apply: Each unit in a newly constructed duplex dwelling shall have a separate exterior entrance facing a public or private street. The following design elements of the duplex dwelling shall be similar in general shape, size, and design with the majority of existing single-family or duplex structures on the same block face on which it is located: Roof pitch; Front porch width and depth; Front building setback; and Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area). No duplex dwelling structure shall contain more than six bedrooms total. Each individual dwelling unit shall have separate utility meters.

Pg. 18: R3: Residential Small Lot Purpose: The R3 district is intended to protect and enhance established residential neighborhoods by increasing the viability of owner-occupied and affordable dwelling units through small-lot subdivisions, accessory dwelling units, and property improvements compatible with surrounding development patterns. The conversion of existing housing stock to more intense land uses is discouraged.

From the Comprehensive Plan

Pg. 16: Housing & Neighborhoods Objective: Overall this chapter supports the following Vision Statement principles: 11. Ensure all land development activity makes a positive and lasting community contribution.

Pg. 60: Housing Trends and Issues: Most core neighborhoods are stable but are trending towards a lower percentage of new single-family homes. With greater density in the city comes the challenge to preserve neighborhood character and the opportunity to strengthen neighborhoods by developing small commercial nodes as community gathering places. Existing core neighborhoods should not be the focus of the city's increasing density.

Pg. 62: Many neighborhoods in Bloomington were developed during a span from the late 1800s through the 1950s. These older homes are generally well built and have distinctive architectural features. They also often have smaller footprints compared to more modern homes. As seen in communities across the nation, this can lead to the phenomenon of people purchasing these homes purely for their desirable urban locations and tearing down the existing structure to make way for a brand-new home, which often features an excessively large footprint and a contemporary architectural style. Such homes may not fit into the period context of their surroundings and can negatively impact the fabric of the entire neighborhood. Unchecked, this practice can lead to the large-scale loss of a community's historic integrity and also the loss of affordable housing stock.

**All the Houses located on the South side of East Wylie,
from Henderson to Lincoln**



430 E Wylie



424 E Wylie



414 E Wylie



412 E Wylie



408 E Wylie



400 E Wylie



318 E Wylie

The block faces of east Wylie from Henderson to Lincoln streets consist of split-level and small ranch style houses, built in the early 1950s.

The houses are exceptionally consistent in shape, size, and design with the broad side of the house facing the street. The roof pitches, porch depths and widths, front building setbacks, and massing are uniform and harmonious.

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 910 N. Maple Street

CASE #: V-19-24
DATE: June 20, 2024

PETITIONER: Blackwell Contractors, Inc./Joe Kemp Construction
 PO Box 3400, Bloomington

CONSULTANTS: Smith Design Group
 1467 W. Arlington Road, Bloomington

REQUEST: Variance from maximum size allowed for an accessory structure for a property located in the Residential Small Lot (R3) zoning district.

REPORT: This 7,192 square foot (0.17 acre) property is located at 910 N. Maple Street and is zoned Residential Small Lot (R3). Surrounding properties are all zoned Residential Small Lot (R3) and have been developed with single family residences. There are no known sensitive environmental features on the site. There are 12' platted alleys that run along the south and east property lines. This petition site has always been owned and used in conjunction with the property to the north, which contains a residential dwelling unit and there are two accessory structures associated with that dwelling unit located on this lot. Although this property is a platted lot of record (Cravens and Carmichael Subdivision, Lot #5), it has never been developed by itself. The property was recently sold and will be developed with a new single family residential building separate from the adjacent lot. The site is located in the Maple Heights Conservation District and a Certificate of Appropriateness is required for the new residence and is being reviewed under COA-24-17.

The petitioner is proposing to construct a new single family residence on the property, which therefore requires the property to come into full compliance with the UDO. There are two existing accessory structures on the lot- a 10'x10' shed and a 24'x26 detached garage. The petitioner would be removing the shed, but is requesting to keep the detached garage to be used for parking since it is in good condition. However, in this district the maximum cumulative size allowed for accessory structures is 580 square feet and the detached garage that is being proposed to remain is 624 square feet. The garage meets all of the setback requirements, but exceeds the size allowed. The existing parking area on the south side of the property would be reduced in size to meet the UDO width allowance and would directly access the existing garage with a 20' driveway.

The petitioner is requesting a variance from the maximum 580 square feet allowed for an accessory structure to allow the existing 624 square foot detached garage to remain.

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 to allow the existing structure to remain is not injurious to the public health, safety, morals, or general welfare of the community. The structure has existed on the property in the current size and location for several decades with no known impacts. The garage meets all setback requirements and the property meets the maximum impervious surface coverage standards.

- 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 to allow the existing structure to remain are found. As mentioned, the building has existed for several decades with no known impacts on the use or value of the area adjacent to the property. There are several other non-compliant detached garages of a similar size on the immediately adjacent properties to the east and south, therefore the granting of the variance to allow the existing structure to remain will not be out of character with adjacent properties.

- 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 it would require a functional building to be altered to meet the maximum size requirements in order to allow any new construction on the property and there is not a practical manner to only remove a portion of the building to meet the required size allowance. The property is peculiar in that there are platted alleys along both the west and south sides of the site that help mitigate any impacts by the increased size of the structure. In addition, the lot in question is 2,000 square feet larger than the minimum lot area requirement of this zoning district and the size of this structure relative to the larger lot size is appropriate and in keeping with the general ratio of accessory structure-to-lot size standards of the UDO. The granting of the variance to allow the building to remain will allow the construction of a new single family residence on the site and increase the number of dwelling units within the community.

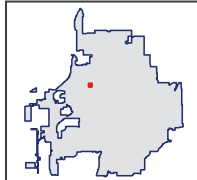
RECOMMENDATION: The Department recommends that the Hearing Officer adopt the proposed findings and approve V-19-24 with the following condition:

1. This approval is for existing garage to remain only. Any additional accessory structures must meet all requirements of the UDO.



Map Legend

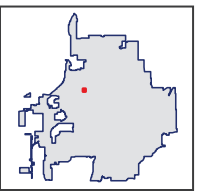
- Addresses
- Parcels
- Buildings
- Bloomington Municipal Boundary
- Urban Area
- Metropolitan Planning Area
- Residential Small Lot
- Residential Multifamily





Map Legend

- Addresses
- Parcels
- Buildings
- Bloomington Municipal Boundary



Blackwell Contractors, Inc
PO Box 3400
Bloomington, IN 47402

May 23, 2024

Mr. Eric Greulich, Senior Zoning Planner
City of Bloomington Planning and Transportation Department
401 N Morton, Suite 130
Bloomington IN 47404

Re: 910 N Maple Street – Accessory Structure Variance Request

Eric Greulich and Others:

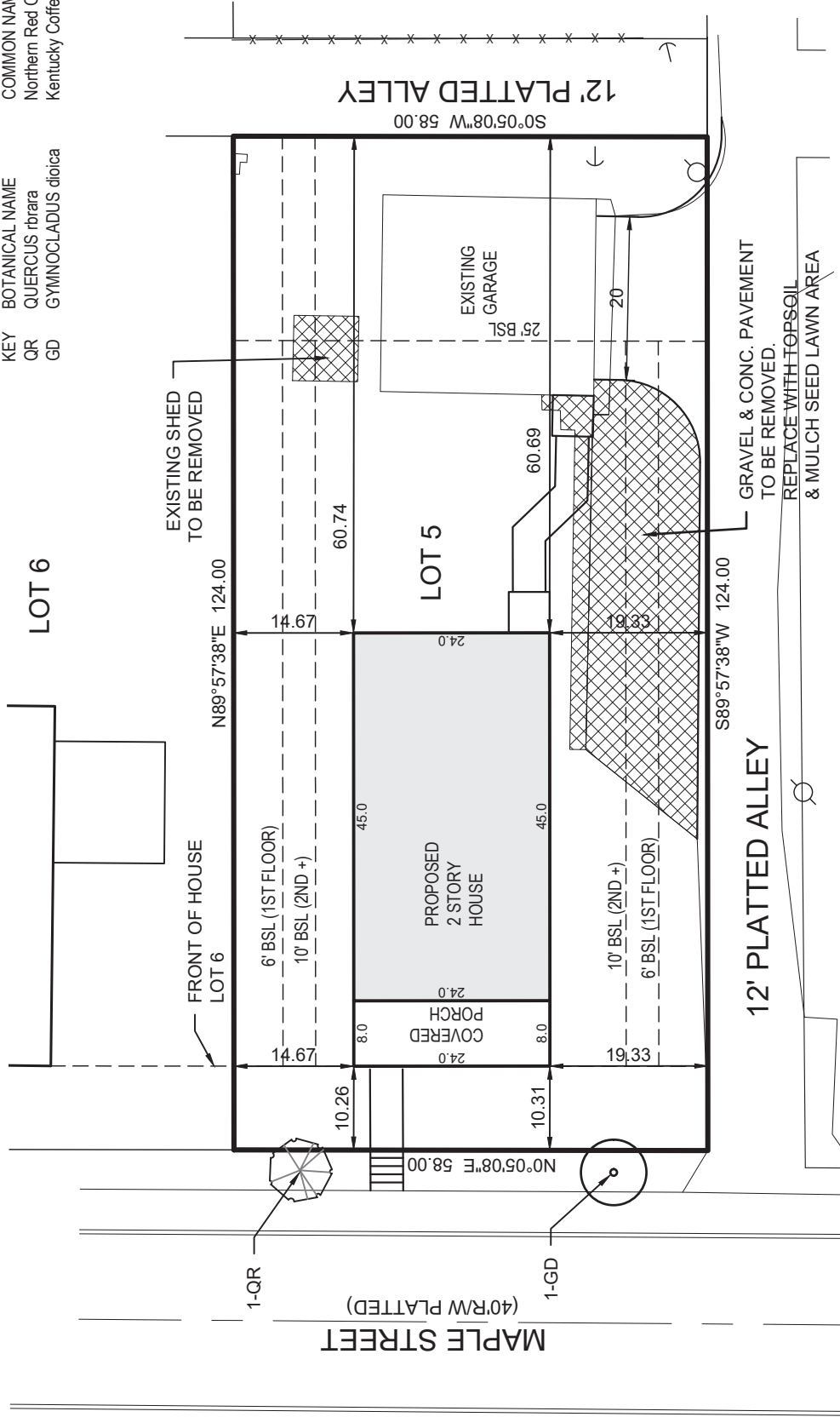
Blackwell Contractors, Inc and Joe Kemp Construction, LLC are requesting a variance from the maximum footprint (cumulative total) for an accessory structure (garage which measures 624 sq ft) to remain. There are currently 2 accessory structures on the lot and the smaller one, which measures 60 sq ft., will be removed.

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

Lana Allen, Executive Assistant to
Ken Blackwell, Blackwell Contractors, Inc
Joe Kemp, Joe Kemp Construction, LLC
(602) 810-4717

STREET TREE TABLE

KEY	BOTANICAL NAME	COMMON NAME	SIZE
QR	QUERCUS ibtrara	Northern Red Oak	2-in Calliper
GD	GYMNOCLADUS dioica	Kentucky Coffee Tree	2-in Calliper



**PLOT PLAN
CRAVENS & CARMICHAELS
1ST ADDITION LOT 5
(910 N Maple Street)**



**SMITH
DESIGN
GROUP**
CIVIL ENGINEERING - LAND SURVEYING
1467 W Arlington Rd Bloomington, IN 47404
(812) 336-6536 - smithdgroup.com
DATE: 05/22/24 JOB: 6923

Blackwell Homes / Rogers Street Condo



Page 1: 3D Cover Page

Page 2: Foundation Plan & Birds Eye View

Page 3: Main Level & Second Floor Plan

Page 4: Front, Rear, & Right Elevations

Page 5: Left Elevation & "A" Section

Colors and patterns shown are for display purposes only and do NOT necessarily represent customer choices. Please confirm all colors and patterns with homeowner prior to ordering any materials.



Space joints (in feet) no more than 2.5 times the slab thickness (in inches). A 4" slab should have joints no more than 10 feet apart.

Cut joints 25% of the depth of the slab. A 4" thick slab should have joints 1" deep.

In hot weather, concrete might crack if joints are not cut within 6-12 hours after finishing concrete.

Place joints under walls or under carpet areas if possible. Under walls they won't be seen.

Under carpet areas the joints won't have a chance to telegraph through vinyl areas.

<http://www.concretenetwork.com/concrete/slabs/controljoints.htm>

CONCRETE REINFORCING BARS (REBAR)
 All rebar shall be steel, unless otherwise noted. All rebar shall be Grade 60, unless otherwise noted. All rebar shall be furnished in accordance with ASTM A630 for reinforcement bars. All rebar shall be furnished in accordance with ASTM A630 for reinforcement bars. All rebar shall be furnished in accordance with ASTM A630 for reinforcement bars.

CONCRETE CASTING NOTES:
 1. All concrete shall be cast in accordance with the approved concrete mix design.
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 4. All concrete shall be cast in accordance with the approved concrete mix design.

All work shall comply with state and local building codes and all other applicable regulations. State and local codes take precedence over any information on this plan.

Contractor shall be responsible for verifying all dimensions and coordinating all required permits, inspections, approvals, etc...

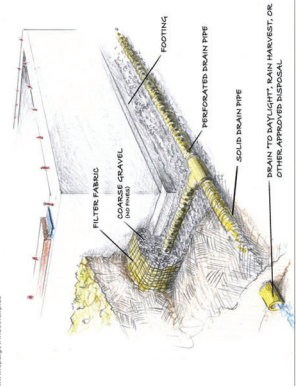
4/12 Roof Pitch	4/12 Roof Pitch
6/12 Roof Pitch	6/12 Roof Pitch
4/12	

Roof Birds Eye View

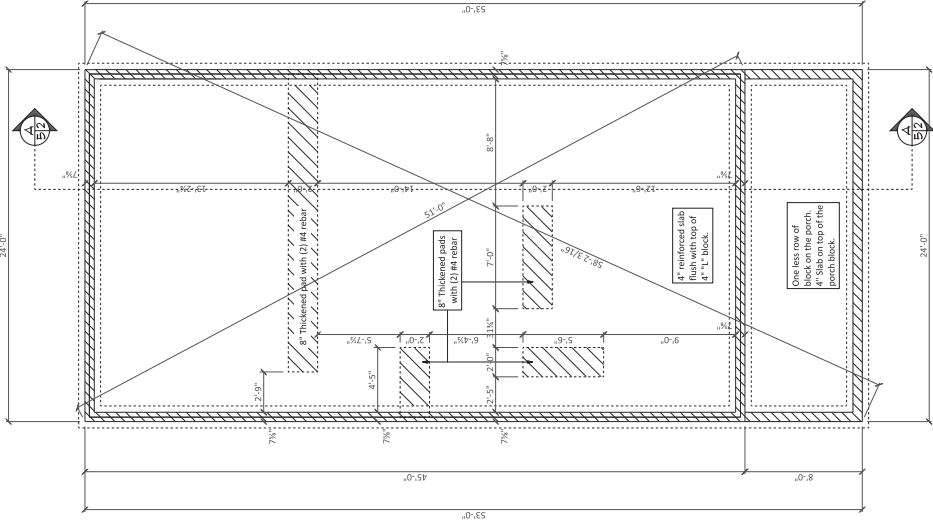
Scale: 1/8" = 1'-0"

Exterior wall wood sole and sill plates, supported directly on masonry or concrete foundation, shall be anchored to the foundation with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Sill plates supporting floor systems, on walls having less than 7 feet (2,135 mm) of unbalanced fill, shall be anchored to the foundation with bolts spaced not more than 12 inches (305 mm) from corners and a maximum of 6 feet (1,829 mm) on center. Sill plates supporting roof systems shall be anchored to the foundation with bolts spaced not more than 12 inches (305 mm) from corners and a maximum of 4 feet (1,219 mm) on center. Bolts shall be lap spliced in diameter and shall extend a minimum 1 inch (25 mm) into masonry or concrete and shall have at least 1 1/2 inches of grout or concrete surrounding the bolt shaft. Interior bearing wall sole plates on concrete slab foundations shall be positively anchored with approved fasteners. A washer, sized to cover the hole in the plate, shall be installed on each bolt and a nut shall be used to tighten the washer to the plate.

EPA Indoor airPLUS MOUNTING CONTROL 1.1
www.epa.gov/indoorairplus



FOUNDATION DRAINAGE PIPES-TO DAYLIGHT



Elm Town Design is not an engineering firm and therefore assumes no responsibility for the design of the foundation. The drawings are intended to be used in conjunction with a professional engineer's stamp and seal. The drawings shall be used in accordance with the applicable building codes and regulations.

FOUNDATION PLAN & BIRDS EYE VIEW

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

APPROVED: [Signature]

DATE: 4/2/2021

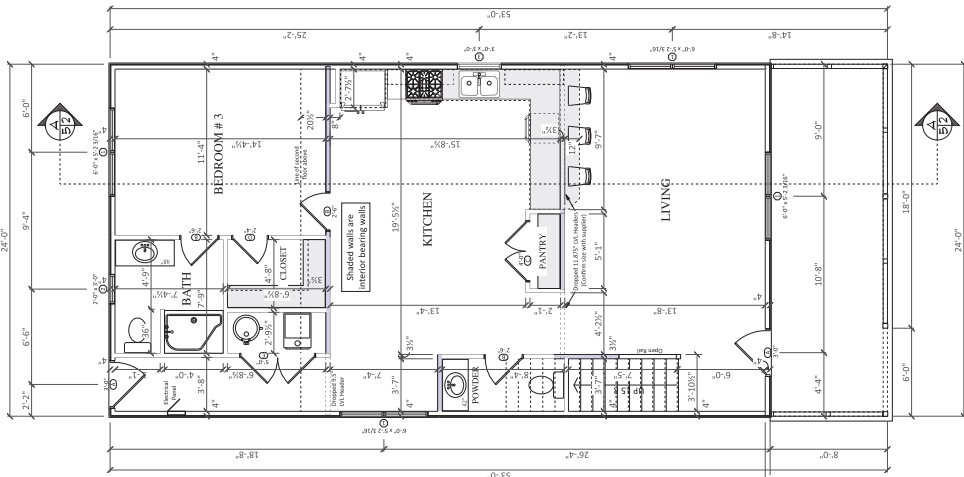
PROJECT: 2103414

Elm Town Design, LLC
 8076 US Highway 231, Longwood, NC 27553
 Office Phone: (812) 907-3110 Mobile Phone: (812) 787-1975
 Email: mark@elmtowndesign.com

Rogers Street Condo

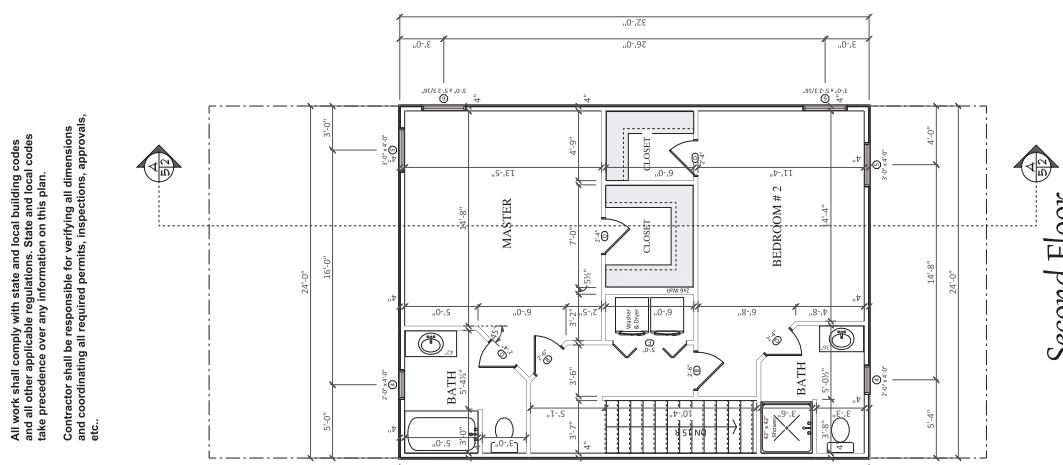
All work shall comply with state and local building codes and all other applicable regulations. State and local codes take precedence over any information on this plan.

Contractor shall be responsible for verifying all dimensions and coordinating all required permits, inspections, approvals, etc...



OPENING #	FINISH	OPENING SCHEDULE	FINISH	DOOR / WINDOW
1	2436S	DOOR	2	6-0" x 8-0" T&G
2	2436S	DOOR	2	6-0" x 8-0" T&G
3	2436S	DOOR	1	2-0" x 3-0" U
4	2436S	DOOR	1	2-0" x 3-0" U
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30	2436S	DOOR	1	2-0" x 3-0" U
31	2436S	DOOR	1	2-0" x 3-0" U
32	2436S	DOOR	1	2-0" x 3-0" U
33	2436S	DOOR	1	2-0" x 3-0" U
34	2436S	DOOR	1	2-0" x 3-0" U
35	2436S	DOOR	1	2-0" x 3-0" U
36	2436S	DOOR	1	2-0" x 3-0" U
37	2436S	DOOR	1	2-0" x 3-0" U
38	2436S	DOOR	1	2-0" x 3-0" U
39	2436S	DOOR	1	2-0" x 3-0" U
40	2436S	DOOR	1	2-0" x 3-0" U
41	2436S	DOOR	1	2-0" x 3-0" U
42	2436S	DOOR	1	2-0" x 3-0" U
43	2436S	DOOR	1	2-0" x 3-0" U
44	2436S	DOOR	1	2-0" x 3-0" U
45	2436S	DOOR	1	2-0" x 3-0" U
46	2436S	DOOR	1	2-0" x 3-0" U
47	2436S	DOOR	1	2-0" x 3-0" U
48	2436S	DOOR	1	2-0" x 3-0" U
49	2436S	DOOR	1	2-0" x 3-0" U
50	2436S	DOOR	1	2-0" x 3-0" U

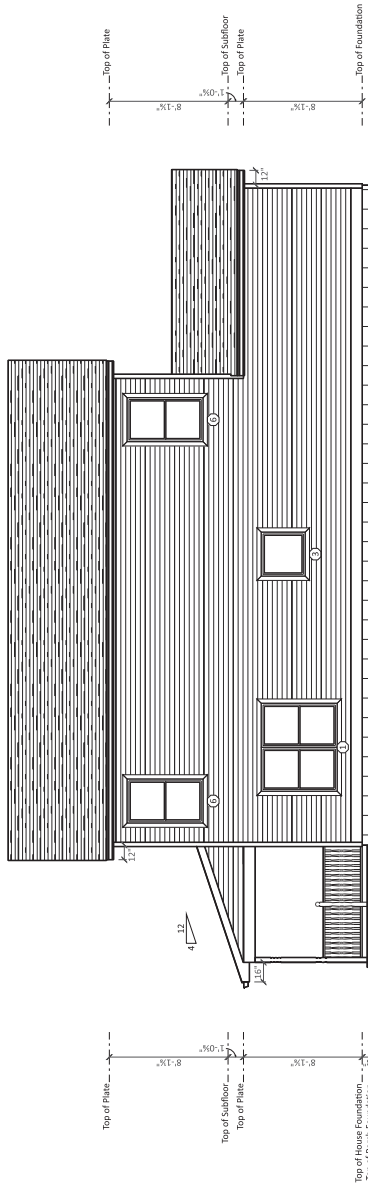
When referring to code, materials and finishes, please refer to the project specifications. The contractor shall be responsible for obtaining all necessary permits, inspections, approvals, etc. The contractor shall be responsible for verifying all dimensions and coordinating all required permits, inspections, approvals, etc. The contractor shall be responsible for obtaining all necessary permits, inspections, approvals, etc. The contractor shall be responsible for verifying all dimensions and coordinating all required permits, inspections, approvals, etc.



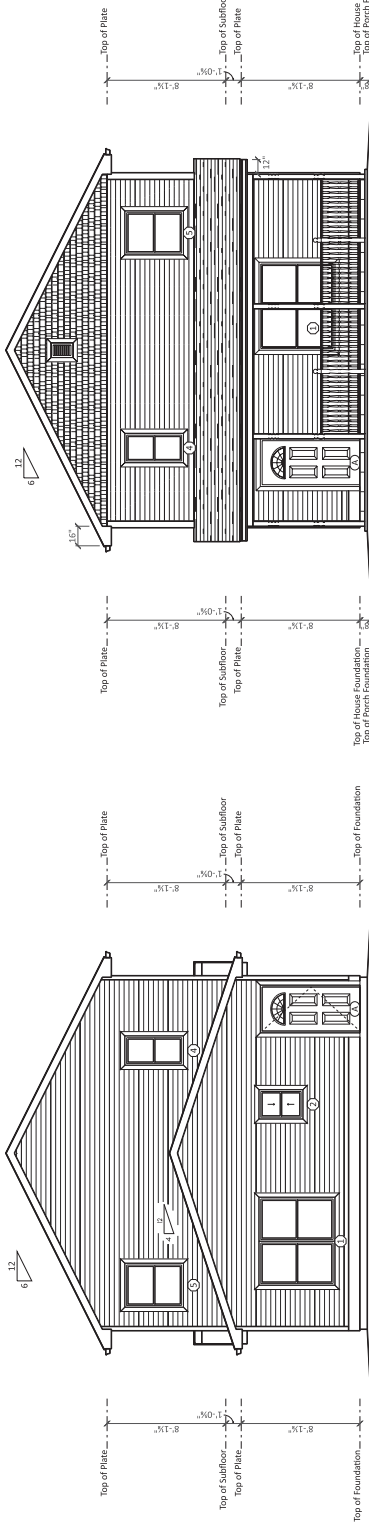
Elm Town Design is not an engineering firm and therefore assumes no responsibility for any design failures or costs resulting, either directly or indirectly, from the drawings we provide. Customer is responsible to consult with a qualified professional engineer, architect, interior designer, landscape architect, contractor, etc. for all construction details of the drawings before proceeding with construction.

FLOOR PLANS

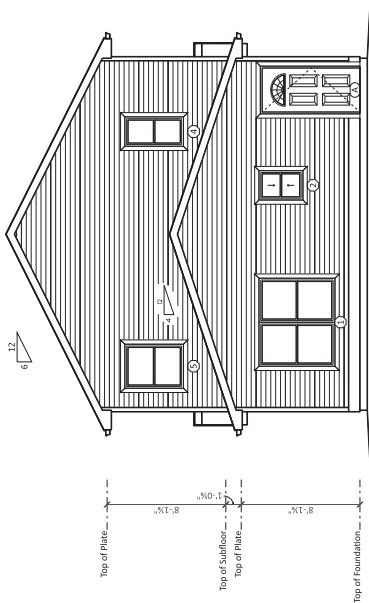
SCALE: 1/4" = 1'-0"



Right Elevation



Front Elevation



Rear Elevation

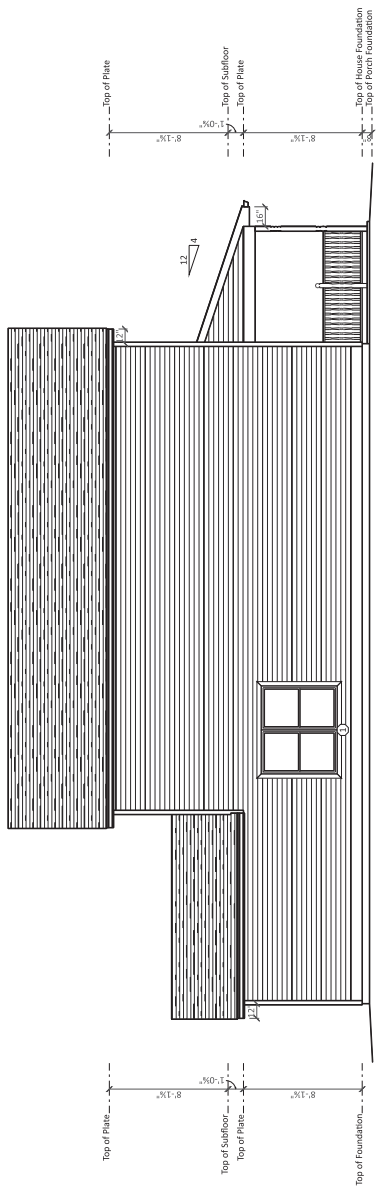
FRONT, REAR & RIGHT ELEVATIONS

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

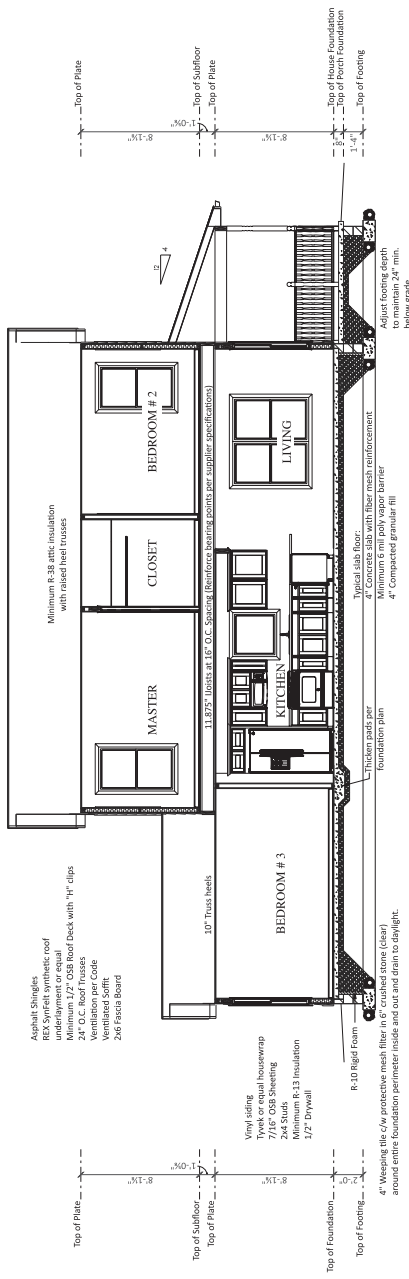
Elm Town Design is not an engineering firm and therefore assumes no responsibility for the structural integrity of the drawings. Contractor is responsible to consult with a qualified professional engineer, architect, or other qualified professional to determine the structural requirements, materials, and design details of the drawings before proceeding with construction.

All work shall comply with state and local building codes and all other applicable regulations. State and local codes take precedence over any information on this plan.

Contractor shall be responsible for verifying all dimensions and coordinating all required permits, inspections, approvals, etc.



Left Elevation



"A" Section

All work shall comply with state and local building codes and all applicable codes and standards. The contractor shall take precedence over any information on this plan.
 Contractor shall be responsible for verifying all dimensions and coordinating all required permits, inspections, approvals, etc.

Elm Town Design is not an engineering firm and therefore assumes no responsibility for the design of the foundation. The contractor shall be responsible for obtaining all required professional engineer or architect stamps and permits. The contractor shall be responsible for obtaining all required permits and coordinating all required inspections and approvals.